FOREIGN
BROADCAST
INFORMATION
SERVICE

# Daily Report

## Supplement

# Soviet Union

***Fourth Congress of USSR***
***People's Deputies***
***21-22 December***

FBIS-SOV-91-005-S
Tuesday
8 January 1991

# Soviet Union
## SUPPLEMENT
### Fourth Congress of USSR People's Deputies
### 21-22 December

*FBIS-SOV-91-005-S* *8 January 1991*

CONTENTS

**NOTICE TO READERS:** As of 2 January 1991, television sourcelines in the DAILY REPORT will reflect how a station identifies itself. In most cases, this change eliminates the "Television Service" designation in favor of the station identification as broadcast. The presence of a new television sourceline reflects this change in policy, rather than the establishment of a new station or network.

An * indicates material not disseminated in electronic form.

**Fourth Congress of USSR People's Deputies**

**21 December**

Speeches From Afternoon Session Reported *[IZVESTIYA 24 Dec]* ..... 1
Lukyanov Report on Constitutional Amendments *[PRAVDA 22 Dec]* ..... 9
Radio Coverage of 21 December Sessions *[cross-reference]* ..... 15

**22 December**

Speeches From Congress Sessions Reported *[IZVESTIYA 25 Dec]* ..... 15
PRAVDA Version of Kryuchkov Speech *[23 Dec]* ..... 36
Radio Coverage of 22 December Sessions *[cross-reference]* ..... 41

## 21 December

### Speeches From Afternoon Session Reported

*PM2412102390 Moscow IZVESTIYA in Russian*
*24 Dec 90 Union Edition pp 2-6*

[Continuation of "Stenographic Record of Fourth Congress of USSR People's Deputies," this section covers conclusion of 21 December morning session from speaker Tetenov through speaker Gorbunovs speech at the 21 December afternoon session]

[Excerpts]

**Ninth Sitting (Conclusion)**

[Passage omitted] **M.Sh. Shaymiyev,** *chairman of the Tatar ASSR [Autonomous Soviet Socialist Republic] Supreme Soviet (Menzelinskiy Territorial Electoral District, Tatar ASSR):* Esteemed deputies, esteemed president! The phrase "parade of sovereignties," which was once uttered in a polemical fervor, has unfortunately become popular. Regrettably, a great many people vested with power, as well as the press and other mass media, are deliberately scathing about the sovereignties proclaimed by the republics, thereby kindling dangerous passions. As you know, the Tatar SSR [Soviet Socialist Republic] Supreme Soviet has unanimously adopted a Declaration of State Sovereignty. It guarantees the equality of all peoples living in the republic and enshrines the status of Tatar and Russian as the state languages. Civil accord has thus been achieved, and people's energy has been channeled in a constructive direction. In many republics which only yesterday called themselves states as if by way of mockery, sovereignty is acquiring real legal, political, and socioeconomic content.

The multiethnic people of Tatarstan have chosen the civilized path of creating a sovereign statehood, a path based on the paramountcy of human rights and the observance of the rights of peoples. These rights cannot be regarded as contradictory—they are interconnected. It is no accident that it is the international pact on human rights that enshrines the peoples' right to self-determination and equality. We are in favor of sovereignty with a human dimension, sovereignty that respects the USSR Constitution and international standards, sovereignty for peoples pursuing integration within a renewed Union. We are opposed to separatism, nationalism, chauvinism; wherever they originate, they must be addressed sternly, in the language of the law, because compromises are criminal here. On the basis of the adoption of the declaration, the republic of Tatarstan has entered a transitional period. For that period the laws of the USSR and the RSFSR [Russian Soviet Federated Socialist Republic] remain in force. At the same time, work is in progress on a new constitution of the Tatar SSR—the constitution of a sovereign state. Other draft laws are being drawn up. A program for the transition to a market economy has been approved.

We are asked increasingly frequently: What do you want, what does your declaration of sovereignty mean? The answer is simple and clear. The people of Tatarstan, many millions strong, want to take responsibility, within the family of peoples of the Union, for their own fate and the lives of their fellow citizens, they want to be the true masters in their own home. That is why the republic Supreme Soviet session held last week, after discussing the draft, gave its support, in general, to the idea of the Union treaty and once again declared the firm will of the people of Tatarstan to be among the cofounders of the Union of soviet sovereign states.

We are convinced that Tataria should sign the Union treaty along with the other republics, sign it autonomously as an equal among equals. That is our principled stance, a stance—and we are sure of this—that cannot but accord with the interests of the whole country and the immutable principle of self-determination.

Historical justice will thereby be restored. Because if we recall our state's history, we find that a number of former autonomous formations made the transition to the status of Union republics. But because of well-known circumstances the people of Tataria were unable to do this since the time of the formation of the Union in 1922.

Unlike our republic and several others, many autonomous formations, on declaring sovereignty, have proclaimed themselves to be components [subyekty] of other republics. People often ask: Is there not a contradiction here? There is no contradiction here. It is their conscious choice. Therefore we should not impose on the former autonomous formations some kind of standardized status without the letter "A" [autonomous], it is more sensible to define their status in accordance with the will of the people themselves, with the degree of responsibility that they voluntarily assume.

Comrades! It is well known that politics will not tolerate fussiness. But we are in favor of a durable Union treaty, we must define thoroughly and in detail the mechanism of its operation, dividing the powers of the republics and the center into spheres of competence. The foundation of power, the measure of independence, is ownership. The Union treaty will therefore be a treaty of equal and sovereign republics to precisely the extent that questions of the republics' ownership, use, and control of property on their territory are resolved accurately and fairly.

In the Tatar SSR today 80 percent of property is under Union jurisdiction and 18 percent is under RSFSR jurisdiction. In the well-known Law on Ownership on Russian Territory adopted by the RSFSR Supreme Soviet, all enterprises under Union jurisdiction are declared to be the property of the Russian Federation.

For us that approach is unacceptable purely because the said law was adopted without coordination with the sovereign republic on whose territory these enterprises are located. The Tatar SSR, as a sovereign republic, has the right to own the potential that has been created on its soil, and is capable of managing that potential effectively, with the exception of those functions that will be handed over on the basis of the treaty. In this connection it is worth stressing that the republic has given the country more than 2.5 billion tonnes of oil and received almost nothing from that wealth except ruined fields and rivers.

Major petrochemical production facilities are concentrated in Tatarstan. The gigantic Kama Truck Plant has been built on its soil, and the Yelabug Truck Plant is under construction today. There is no need once again to mention in this context the problems of the conversion of the republic's mighty defense industry.

In developing the said potential the Tatar SSR was deprived of a significant proportion of its natural wealth. Hundreds of thousands of hectares of agricultural land was taken out of agricultural use. Today we obtain from the remaining plowland far more produce per 100 hectares than the average for Russia and the Union. Yet we consume less, especially meat products, than is consumed in the regions to which we have to supply livestock products. Can that be fair? More, it is inexplicable. We are fully aware that the entire country took part in creating the republic's industrial potential. But it is obvious that the main day-to-day burden is still borne by the republic's population. We therefore consider it necessary for this actual starting position to be enshrined in legal norms. In other words, the Union treaty should be accompanied by the conclusion of special agreements between the center and each republic separately on the specificities of the transfer of ownership and the mechanics of the exercise of powers.

To conclude my speech, I wish to speak of the primacy of common sense. It suggests to us that the speediest conclusion of the Union treaty is the sure way to resolve the problems of national-state building that have accumulated in the USSR. That is on the one hand. On the other, common sense also says that the strengthening of our Union as a world power will lead to a situation where sovereign republics within its framework will be able to act with the greatest possible benefit to their peoples and achieve real democracy and the formation of a genuine socialist society. [passage omitted]

**Chairman:** [passage omitted] Before asking the Secretariat spokesman to speak I must read out the following statement received by the Presidium.

"Yesterday on Leningrad Television People's Deputy Poltoranin made an accusation that Deputy Umalatova's speech on the question of an expression of no confidence in the USSR president was inspired with the knowledge of USSR Supreme Soviet Chairman Lukyanov. It was simultaneously stated that the assault on "600 Seconds" presenter Nevzorov was prepared and committed by KGB staffers. The honor and dignity of not only People's Deputy Umalatova but also the USSR Supreme Soviet chairman were thereby called into question. If Deputy Poltoranin is right, Lukyanov should give up the chairmanship. But if Deputy Poltoranin is using television to disseminate a base lie, any decent person in his place should give up his positions as a USSR people's deputy and RSFSR minister. I insist that this statement by Deputy Poltoranin be investigated by the Commission on Deputies' Ethics and that its conclusions be reported to the congress."

Since, comrades, I regard as simply contemptible even the slightest hint that any statements against the president might be inspired by me, I would ask the congress to order that this matter be passed to the Commission on Deputies' Ethics. (Noise in the hall). Does Comrade Poltoranin need to speak? (Noise in the hall). Deputy Umalatova? Go ahead please.

**S.Z. Umalatova,** *member of the USSR Supreme Soviet (From the CPSU):* Esteemed comrade deputies! Until recently I very much regretted that I was not born a man. I can honestly say that I very much wished that. But recently I thank God that I was not born a man because I would probably not survive this shame. That is the first point.

Second, many people, including foreign and Soviet journalists, are indeed asking me: Who put you up to this? I reply: My conscience. My civic conscience. Nobody else. If even a group of people (of any kind) said to me: We order you to speak, I would not do so. Why? Because within a minute some member of this group could change his mind.

Imagine: I could have stood up and made this statement, and them someone would come up and say: That is not our statement. How would I look then? Why do some people today think that deputies do not have views of their own, that women do not have views of their own, that people do not have views of their own? What kind of servile mentality is that? When are we going to get rid of it? It makes me feel ashamed. I state that never in my life have I expressed other people's opinions; it has never been my habit to do that, and I thank God that it is not my habit and that I do not have a servile mentality.

Yes, I was at A.I. Lukyanov's meeting with deputies. He said that the president must be saved. But I did not hear from the person who summoned us: Comrades, the country is in danger, the country and the people must be defended. That was what offended me, and I expressed my view and the view of the people who look to us with hope. You can make any statements you like, Deputy

Poltoranin. But you and other people who raise such questions do not have an opinion of your own and never have had. They have nothing but a servile mentality. I pity these people.

**Chairman:** Comrade Poltoranin requests a minute to speak.

**M.N. Poltoranin,** *RSFSR press and mass media minister (From the USSR Journalists' Union):* I would like to say a couple of words about this note. It has been read out, and I simply do not have the right to remain silent. It is obvious that the person who wrote this note did not watch the television program closely. I went on screen for a completely different purpose: to attempt to show how we should restructure our executive power. That was the main point. The question was: What is your attitude to Umalatova's speech? I said that it could be that she had come from a meeting with voters, that the voters had "laid it on her" because life is bad today, and that she was expressing the voters' thoughts. (Noise in the hall). It was only necessary to listen carefully to what was being said.

Now for Nevzorov, since there is a great deal of speculation about this incident. The papers say that he shot himself and we must do everything to make the truth clear, as they say. I talked with him for two hours and 40 minutes, visited the scene of the crime, and spoke with people, his associates and investigators, and I came away with the conclusion that this was not a case of someone shooting himself (that is one of the versions currently being put about), it was an act that somebody had prepared.

As for KGB involvement, it has been said that the KGB gave Nevzorov compromising material relating to a certain democrat. Nevzorov himself acknowledges that he was told: We do not have documents, you will receive them later. That is, we are talking about an ordinary matter which is going to be further investigated. I do not know why such a note should be written. (Noise in the hall).

**Chairman:** That is the note, comrades. It was signed by Colonel B.F. Pylin, a deputy from Volgograd Oblast. Do I have permission on behalf of the Congress to pass it to the Commission on Questions of Deputies' Ethics? (Noise in the hall).

**M.N. Poltoranin:** I think that would be the right thing to do.

**Chairman:** Deputy Zhuravlev wishes to speak.

**A.G. Zhuravlev,** *deputy chairman of the Soviet of the Union Labor, Prices, and Social Policy Commission (Minsk-Sovetskiy Territorial Electoral District, Minsk Oblast):* I have mounted this rostrum to state: Deputy Umalatova is not the only one with a conscience. I wish to remind you what esteemed Comrade Shevardnadze said from this rostrum yesterday. He talked about human dignity. I cannot allow my human dignity to be trampled, either. I have asked the congress to allow me to speak. The Belorussian delegation twice asked permission for me to speak. But Deputy Tarnasvkiy, whose viewpoint in no way coincides with mine, spoke instead.

I consider this intolerable and would like you to generally pay very close attention to what is happening in Belorussia. I want my constituents to know about this. CPSU Central Committee Secretary A.S. Dzasokhov, who was at the 31st Belorussian Communist Party Congress, when a right-wing coup was only avoided by a fluke, is probably here today. I want you to be vigilant—you and my constituents alike. Beneath the surface evil lurks. (applause)

**Chairman:** I declare a 20-minute break.

**Chairman** *(after the break):* Deputy Nikolayev from the Russian Federation group of deputies has permission to speak. Deputy Atadzhanov, please get ready. Seven minutes, please.

**A.A. Nikolayev,** *chairman of the "45 Let Oktyabrya" Kolkhoz, Yukhnovskiy Rayon, Kaluga Oblast (Smolensk National-Territorial Electoral District, RSFSR):* Esteemed congress! Like all those present in this hall, I did not sleep all night after yesterday's events. Toward morning I dozed off and had the following dream. (Laughter in the hall). For the second time in my life I dreamed about the president and his wife. Catching sight of me, Raisa Maksimovna came up to me and asked: "Who are you, young man?": I answered: "A people's deputy." She said: Are there many like you?" I answered: "Yes, more than half of them are." She turned to M.S. Gorbachev: "Look, Mikhail Sergeyevich, there are still people you can rely on in the Union. Do not be sad, do not suffer, rely on the young people." That was my dream—I do not know whether it means anything or not.

There is a story that President Bush woke up in a cold sweat and his wife asked him: "What is the matter, dear?" He said: "I dreamed that instead of just one nuclear power there were 15." This is in the context of the question of the Union treaty. [passage omitted]

Our esteemed president should realize that as the New Year approaches the people want sober, concrete proposals. Comrade Sobchak has already put forward certain proposals here. I think a clear answer should be given at the end of the congress: What is to be done next, what path will the country take.

To survive and emerge from the impasse, we must, in the end, unite. The USSR president and the Supreme Soviet must today restructure our work so as to make

people realize what the Union offers us all and what it will protect us all against, so as to ensure that the president's decrees and the decisions adopted are fulfilled. The first such decree should be a decree on holding a referendum.

"I was born in the Soviet Union and I want to die in the Soviet Union," my mother said to me. I think that is close to the hearts of all Russia's people. Our attitude to the Union is unequivocal. Let us abide by the sacred words of a mother.

**Chairman:** Deputy Atadzhanov has the floor. Deputy Orazov should prepare.

**A.R. Atadzhanov,** *chairman of Kashka-Darya Oblast Soviet of People's Deputies (Chartakskiy National-Territorial Electoral District, Uzbek SSR):* Esteemed deputies! It seems to me that our congress is swinging with great difficulty, like an unwieldy ship, in the direction of businesslike discussion of the urgent problems that greatly worry our voters. Today the crisis has entered every home. The people are extremely agitated. Whether we like it or not, the fact is: The "grass roots" are unwilling, the "upper strata" are unable. Yet we go on sitting in our comfortable Kremlin hall playing political games, blaming all and sundry, and trying to score points. This will hardly increase the masses' respect for us.

I too, like the previous speaker, Comrade Nikolayev, was very upset by Foreign Minister E.A. Shevardnadze's announcement of his resignation. The country's foreign policy is a continuation of its domestic policy. For four days at the congress every speaker has spoken of the collapse of sociopolitical and economic policy in the Union. Why did Comrade Shevardnadze, leader of the foreign policy department, announce his resignation to the congress and the whole world in such a complex situation? Esteemed Eduard Amvrosiyevich, what is this? A blow against democracy and perestroyka. After all, you are one of the main "authors of the democratization" of foreign policy—the policy of the new thinking. This statement splits political forces within the country and adds to the difficulties of the restructured foreign policy. In this situation, to walk out, slamming the door behind you, is, to put it mildly, thoughtless. Retract your statement, if you really are for perestroyka.

I am profoundly convinced that among the priority tasks in emerging from the present impasse, we should above all reach an accord at least on something. First and foremost on whether we republics and autonomous formations want to live together or separately. Let each delegation answer this fundamental question honestly and frankly, without trying to gamble on subjective aspects, the Gorbachev factor, the Ryzhkov, Shevardnadze, or anyone else factor. The congress should decide how those who want to form a new federation should act, and also how to part with those who want to go their own way, if that is really the democratically expressed will of a given people. [passage omitted]

**T.M. Shamba,** *party committee secretary at the CPSU Central Committee Academy of Social Sciences (Gudautskiy Rural National-Territorial Electoral District):* Esteemed people's deputies and guests of the congress! I would like to make one suggestion outside of standing orders, namely that the words of the great Voltaire, who wrote the following to his opponent, become the theme of our congresses: Your words are profoundly repugnant to me, but I would give my life just for you to have the right to voice them.

I have instructions from my colleagues—USSR people's deputies from autonomous formations—to set out our common opinion on the problem under discussion. [passage omitted]

Among the peoples of autonomous entities there has been a reaction of great optimism to B.N. Yeltsin's repeated statements that powers should be voluntarily handed on from below to above and that autonomous republics can arrogate to themselves as much power as they want. Enhancing the status of autonomous entities within Russia will fundamentally change the structure of the RSFSR. But this will not mean the collapse of Russia, as some people believe, but, as Boris Nikolayevich himself replied, this will mean support for peoples striving to acquire national self-determination within the framework of the RSFSR.

On the other hand, we are seriously concerned that some forces are striving to reduce the problem of the renewal of the Union to the problem of sovereignty for Union republics, disregarding the will of most of the peoples of the USSR. The latest example of this is the resolution submitted to the congress by the Interregional Deputies' Group. Contrary to the provisions of the Interregional Deputies' Group program and to A.D. Sakharov's ideas on the future national-state structure of the USSR, it is being suggested that we recognize the 15 Union republics' declarations. But why is there not a word here about declarations adopted by autonomous republics and autonomous formations?

When the USSR Central Executive Committee adopted decisions during the twenties regarding the entry of the Uzbek, Turkmen, and Tajik SSR's into the USSR, it rightly proceeded on the basis of the expression of the working people's will and noted that the "free expression of the will of the working people is the supreme law." Why then in 1990 should the will of the peoples of autonomous entities, some of which are on the verge of disappearing, cease to be the supreme law for the Interregional Deputies' Group? The right to self-determination belongs not to the republic and not to regions, but to the peoples. That is why the right to

enter and freely leave the USSR is conditional upon the voluntary nature of the Union association.

The amendments to the USSR Constitution that have been distributed to us are even more striking than the resolution adopted by the interregional deputies' group. They directly contravene the aforementioned USSR Supreme Soviet documents and the proposed concept for the Union treaty and they aim (I must be blunt and say this) to enshrine the unequal position of the USSR's peoples. The president's statement regarding the drafting of an interim economic agreement between the republics for 1991 has not created an atmosphere of trust and confidence in his firm stance on the question of resolving the problem of autonomous entities. If we have understood the president correctly, this agreement will not be examined and signed by the autonomous entities as equal components. [passage omitted]

Last, I want to say the following in addition to this statement. Yesterday you heard E.A. Shevardnadze's heartrending speech. This was indeed a speech that was bound to affect all of us. Of course, President Husayn must be pacified, relations established in the Persian Gulf, and order restored. But current events in Georgia cannot be described as anything but neofascism....

**Chairman:** Comrade Shamba, I am depriving you of the floor. We have had enough said on this issue. Otherwise we will once again kindle passions and provoke retaliatory speeches. Let us finish here. The chairman has to somehow subdue passions and prevent clashes. [passage omitted]

**Tenth Sitting**

Kremlin Palace of Congresses, 1600 hrs, 21 December 1990.

N.I. Dementyev, chairman of the Belorussian SSR Supreme Soviet is in the chair. [passage omitted]

**A.Ye. Andreyev,** *chairman of the Belorussian SSR Supreme Soviet Presidium Commission on the Affairs of Former Partisans and Underground Fighters, Minsk City (From the All-Union Organization of War and Labor Veterans):* Esteemed comrade president, esteemed people's deputies! The amendments to the USSR Constitution proposed by the Supreme Soviet in connection with the improvement of the system of state management are designed to ensure the essential strengthening of all organs of power from top to bottom (what I mean here is executive power) and at the same time to sharply increase their responsibility for the organization and execution of legislative and other acts of state power.

Such an improvement of the system of state management is required by the imperative demand of reality and has nothing to do with one-man leadership and the dictatorship of officials because it is envisaged that their activity, including that of the president, will be reliably controlled and, when necessary, rigily restricted by the relevant representative bodies.

I should like to broach two issues, in connection with the speech by Deputy Chernyak: dictatorship and dignity. Like many others, I was struck by the agitated speech by Foreign Minister E.A. Shevardnadze, whom I sincerely respect. I was especially struck by the motives for his resignation statement and by his insistent warning of the threat of dictatorship.

I agree with M.S. Gorbachev that niether panic not hysteria are needed on this account and of course everything must be carefully thought over. But nor, obviously, must we oversimplify things because the resignation statement was made by one of the leaders of perestroyka, a statesman who is directly carrying into effect the policy of our state in international relations. He made this statement at a most difficult period in the life of our state and not just in the narrow circle of his government comrades, but from the lofty rostrum of the Congress of People's Deputies. This statement rang out to the entire world and generated complex reverberations in the leading circles of foreign countries and, at the very least, perplexity among the broad mass of our country's population which has always highly regarded the activity of Comrade Shevardnadze at the post of foreign minister. Evidently one ought not only to instruct the president to deal with this but also to set up a legislative commission and to seriously give thought to the questions and elucidate whence the threat of dictatorship emanates. Comrade Shevardnadze said that he will not name names. Surely we have had enough of engaging in anonymous criticism already: Sometimes we cite destructive forces, or quarters [instantsii], or something else, and never say from whom this comes and who this is specifically. All the same, let us find out who is who.

We should also find out whom Comrade Shevardnadze is threatening by his resignation and by his protest made before the whole country and entire world. Whom? One cannot share the opinion that the content of his speech is an emotional reaction to criticism from colonel deputies and other comrades—that is nonsense. Such a statement is not one of a foreign minister who must frequently encounter in the course of his practical work comments that are not favorablty inclined toward him, both from political opponents, and also from partners who are not altogether favorably inclined toward him. Evidently the roots and sources of this statement are far deeper and more significant than the wounded pride and dignity of an individual.

A couple of words about dignity. Deputy Zhuravlev spoke here recently and said that his dignity had been wounded by the fact that the floor had been given not to

him but to another deputy from Belorussia. He made a statement about his dignity and at the same time seriously reproved the Belorussian Communist Party to the effect that a "right-wing" coup had allegedly all but taken place at the 31st congress. Incidentally Deputy Zhuravlev had not been in Belorussia for a long time now, he works in the Supreme Soviet and has a very poor knowledge of the Belorussian Communist Party which is a forward detachment of the CPSU and at difficult moments, including in the war, has always displayed itself to be, indeed, a forward detachment.

When a person throws out reproaches against entire organizations I believe that it is necessary to do some hard thinking before making such statements. I should like deputies to support the draft which has been submitted by Comrade Lukyanov for discussion. [passage omitted]

**Yu.I. Borodin,** *chairman of the USSR Supreme Soviet Health Committee (From the USSR Academy of Medical Sciences together with 40 scientific medical societies):* In connection with the speech of my colleague Chernyak I would like to say that the processes now taking place in society and in our state are indeed exceptionally complex. So we certainly must make a considered assessment of them and characterize them somehow. I think that it will be a while before we can make a definitive academic assessment of what is changing today in our society and how.

Deputy Chernyak speaks of a silent right-wing coup. Just recently in SOBESEDNIK I read an article by a very well known dissident—the writer and public figure Limonov—who claims that a bourgeois revolution is taking place in our country. The new stratum of the Soviet intellectual bourgeoisie—the creative, scientific, and technical intelligentsia, which he thinks makes up this stratum—is fighting among itself. Against whom is it fighting? The old bureaucracy, the partyocracy, and the old "boyars" who will not let this "40-year-old stratum" reach the pinnacles of our society and effective power. Those are the opposite points of view.

How do I assess the situation in the country? I think that a profound reconstruction of our system is under way, a reconstruction in which various strata, various groups, and various trends, from right to left, should take a constructive part. Incidentally, now it is not easy to decide who is a right-winger and who a left-winger, and we are also very well aware of this. In this connection I want to refer respected Deputy Chernyak to the speech of Deputy Popov, who I think made a very good call for the positive potential of the different strata and different groups in our society to be used to shape the next stage in the socialist choice that we have made. [passage omitted]

**Ye.U. Kim,** *member of the USSR Supreme Soviet (Sovetskiy Territorial Electoral District, Omsk Oblast):* Yesterday and today we have had to endure two very serious speeches against the country's president and against the Supreme Soviet—including today's speech by Deputy Chernyak. To accuse the president of preparing a coup d'etat is to raise the question of accusing the president of violating the Constitution and of instituting criminal proceedings against him.

On 17 December we gave a vote of confidence in the president, and I regard such statements as inappropriate here. Moreover, they are aimed not at ensuring that we discuss matters positively here, but at still further stoking the atmosphere. That is the first point.

Second, the well known statement of Deputy Poltoranin contains accusations (or suppositions) that someone advised Deputy Umalatova to speak and it mentioned the name of the chairman of the USSR Supreme Soviet. Moreover, in yesterday's speech E.A. Shevardnadze, as you know, promised not to mention a single name, but nevertheless he named the chairman of the USSR Supreme Soviet.

You know that since summer of this year a massive attack on the Supreme Soviet has been under way and you know of the various proposals aimed at dissolving it. I can only regard them as an offensive against the Supreme Soviet and I reject them. Unfortunately, both yesterday and today we have run up against the fact that deputies are continuing to put forward ultimatums. Yesterday a very young man spoke (on behalf of young deputies) and threatened that unless they were allowed to speak, they would adopt an appropriate decision. The language of ultimatums, the language of racketeers, cannot be used toward us at the congress. [passage omitted]

In connection with the changes that exist and that are being made to the Constitution, I would like to note the following. There has been criticism here of the fact that they vest the president with unprecedented powers. It was even said that neither Stalin nor Brezhnev enjoyed so much legislatively formalized power. The legislatively formalized powers that Stalin and Brezhnev enjoyed are still open to question. But you are perfectly well aware that both the former and the latter enjoyed tremendous, fantastic powers going beyond the bounds of the law. The point is that throughout recent years we have constantly been pushing M.S. Gorbachev to go beyond the bounds of the law in his actions.

The point at issue today is that of ensuring that the president of the Soviet Union at long last can act strictly within the framework of the law. But to act strictly within the framework of the law, it is necessary to properly specify all these powers. Otherwise, once again, we will create opportunities for going beyond the bounds of the law. If we create an appropriate structure of presidential power, whom does this not suit? I think that,

on the one hand, it does not suit those people who, so to speak, having scalded themselves with milk, now blow on cold water.

On the other hand, it certainly does not suit those who do not want us to enjoy, despite everything, relative order, which would ensure the further continuation of the process of democratization. But I regard the changes now being made to the constitution as changes that should ensure a normal legislative base for the functioning of power in our country, including presidential power.

On behalf of the "Soyuz" group I was included in the commission on the draft law on amendments and additions to the USSR Constitution, so I should have expressed practically all my objections there. I simply do not want to repeat myself now. I must note that the "Soyuz" deputies group has decided to support the amendments. It has also decided to express support for the president. At the same time there are two points regarding which I have certain reflections and difficulties. The point is that the Council of the Federation is vested with powers whereby a decision can be imposed on the president by two-thirds of the votes and he is obliged to fulfill it by drawing it up in the form of a decree.

In this connection the question is: Who will be entitled to rescind such decrees? In general why is the Council of the Federation gaining powers which effectively place it above the Congress of People's Deputies? Especially as the USSR Constitution contains no norm about who rescinds presidential decrees. Admittedly, in the commission I was told that there is such a norm and that the Congress of People's Deputies can examine any issues. But I think that if we vest the Council of the Federation with such powers we must draw up a provision that, when necessary, the Congress of People's Deputies rescinds presidential decrees.

There is one more point, to do with yesterday's speech by Comrade Shevardnadze. The USSR Supreme Soviet is faced with very serious work to ratify the Soviet-German treaty, and this work will be difficult. I have a personal request to Eduard Amvrosiyevich: Since he took a most active part in elaborating and signing this treaty, he should not resign from his post until the treaty has been ratified. I beg him to do this, even if E.A. Shevardnadze has firmly decided to give up his post.

**Chairman:** The floor is given to Deputy Lubenchenko. The next speaker will be Deputy Aleksandrin.

**K.D. Lubenchenko,** *deputy chairman of the USSR Supreme Soviet Committee for Legislation (Ramenskiy Territorial Electoral District, Moscow Oblast):* Esteemed deputies, esteemed chairman, esteemed president! I am deeply disturbed at the state we all find ourselves in. But nevertheless, it is with regret that I must stress that I do not count myself among the supporters of the adoption of the given amendments to the USSR Constitution and I shall tell you why.

I would agree with the publication of an act addressed personally [personifitsirovanny akt] to USSR President M.S. Gorbachev on granting him powers—which will be proclaimed in the Constitution—for a term of up to 1 year as is customary in any civilized state. After one year we would decide the question of extending that term depending on what has been done to implement this program. But we are filling the Constitution with an abstract list of rights and duties on the basis of which the institution of presidential power will be created regardless of who is at the helm of state administration. At the moment I feel no guarantee that a stable situation is possible in connection with the man who is currently president of our country. You can see what is happening at the congress.

From the legal standpoint, because of these amendments our Constitution is becoming like a "patchwork quilt." It is losing all legal logic. The discussion of the draft law on the Union treaty shows that we are finding it impossible to resolve the question of the components of our Union and of the federation and the demarcation of powers between the center and the republics.

It also seems to me that some questions, specifically the central question of executive power which we are resolving using the French model of presidential rule, are insoluble in the present situation. Our state suffers from numerous shortcomings. We know that corruption permeates our state system from top to bottom. In such conditions we are creating a cabinet which is fully subordinated to the president and at the same time bears responsibility toward the USSR Supreme Soviet, thus removing the president's responsibility from the organ which is capable of controlling the actions of the executive. Not to mention the fact that the new structures may be regarded for the time being as merely new names lacking actual content.

Thus I consider it expedient for the USSR Supreme Soviet to begin studying this question. It should determine the actual functions and powers of the new structures because we have seen for ourselves that we are constantly creating more and more new structures and then seeking powers for them but there are no powers for the new structures. We are creating the institution of vice president without first defining what political role the vice president will play in the institution of presidential power. [passage omitted]

The last point that I would like to make is connected with today's incident (I simply want to briefly provide some information). Of course, the episode which was acted out here, the "Nevzorov problem," surely requires the most thorough investigation. Because on the eve of the Nevzorov incident, a man calling himself Nevzorov's

agent came to see me and asked me to help in organizing a meeting between Comrade Yeltsin and Nevzorov so as to give Boris Nikolayevich some extraordinarily urgent information. This happened at a class with my student group and 20 students witnessed it. I contacted B.N. Yeltsin's agent and told him that Nevzorov was requesting an urgent meeting with Boris Nikolayevich. That is all I wanted to say. That proves that the problem needs a special, very thorough, and scrupulous investigation. [passage omitted]

**A.S. Aboyev,** *department chief at the Alagirskiy Central Rayon Hospital (Alagirskiy National-Territorial Electoral District, North Ossetian ASSR):* I would very much have liked to draw your attention to the disastrous situation in the health service, especially the rural health service. But we should not be talking about the health service today, when the country is on the brink of ruin. The wind of change is driving thick clouds of interethnic conflict over the country. We are going astray in the clouds, failing to see or hear one another in our endeavors to discover who lived where and when. If, in the economy, we have sunk to a barter system, even here there is the hope that everyone will find his own original cave home.

We should stop and look around us through the eyes of the Ossetian poet and democrat Kost Khetagurov, who said at the turn of the century: "The whole world is my temple, love is my holy of holies, the universe is my fatherland."

My colleague has spoken more than once from this rostrum, putting forward territorial claims and making groundless accusations against the leadership of the North Ossetian ASSR, which is allegedly blocking the resolution of the question. I wish to remind you that the North Ossetian ASSR Supreme Soviet and its chairman, democratically elected, are the plenipotentiary representatives and mouthpieces of the will of the multinational population of North Ossetia.

Things have gone so far that neighboring republics threaten war from the rostrum of the USSR Supreme Soviet. Let the author of such statements and those who incite him to it remember that these are not the "Zarnitsa" children's games; the people of Ossetia live no better than the people of Ingushetia. It seems to me that only those who have spent years failing to resolve the problems on the spot and avoiding a response now want to make out that the all the troubles of the Ingush are the fault of the people of my republic. What do they care for the blood and tears of ordinary Ossetian and Ingush people?

I would very much like to hope that no one will be able to push us onto the fatal path of a never-ending vendetta. God decreed that our peoples shall be neighbors on this earth, and we have to live through the millenia side by side, sowing our grain, giving birth, and raising our children.

The people of North Ossetia respect and support the desire of the Ingush people for an autonomous formation of their own within the framework of the Chechen-Ingush republic.

The North Ossetian ASSR, as a state formation with equal rights, is prepared to sit at the negotiating table with the Ingush Autonomous Republic to resolve any contentious issues.

One last point. In the years of the mass repressions the Ossetian people suffered no less, and perhaps even more, than other peoples. The whole intellectual flower of the republic was cut down. Deputy Darsigov claimed that we were sympathetic to Beriya, who supposedly used to take milk baths on our territory. In that case I could find myself very suspicious of Moscow and its boundless love for Lavrentiy Pavlovich [Beriya], who lived and worked here a long time and, of course, had a daily splash in the bath. [passage omitted]

**M.K. Pashaly,** *chairman of the Chadyr-Lungskiy Rayon Agro-Industrial Association (Chadyr-Lungskiy National-Territorial Electoral District, Moldova SSR):* On the instructions of my constituents I would like to bring it to the Congress' attention that the situation in our Republic of Moldova is very complex. Not everything in fact looks the way that some deputies who walked out of this hall attempted to suggest that it is. The complexity lies in the fact that people from the People's Front have come to power in the republic and from day one have been intensively adopting laws at variance with the interests of people of different nationalities—Ukrainians, Russians, Gagauz, Bulgarians, and others—who make up 36 percent of the republic's population.

Under the flag of national rebirth and perestroyka, People's Front forces, having suspended the operation of Union laws, have used administrative organs to start implementing reforms of various kinds with a view to selecting cadres only from among officials of Moldavian nationality. People of other nationalities are being forced to leave the republic.

This started with the state language, but the main factor is the desire to Romanianize the republic. The Romanianization of the republic with a view to joining it to Romania has outraged the peoples living in Moldova. All requests by the peoples of the Dnestr region and Gagauziya to be given the chance to obtain autonomy have met with an abusive refusal. For more than a year now all the media have been leveling various kinds of abuse at these people. Nobody has dared to even try to stop all this.

What options did these people have left? They decided to proceed to self-determination by a legitimate, constitutional path, voting for the creation of two republics—the Dnestr and Gagauz Republics. There is no other way out, because the Gagauz people are disappearing and losing everything they should possess as a people. For this they have been labeled "separatist" and "extremist." Internal troops commanders, incidentally, were outraged by all this when troops were moved into Gagauz territory.

What do the people of our region want? To live as part of the USSR rather than join with Romania, to have the things that other peoples have, and to live in an internationalist family. In the 20th century these are fundamental wishes, in our view, and do not infringe anyone's rights. These wishes should not be used as a reason for people to be labeled, insulted, or have volunteers and militia detachments moved into their areas.

On Sunday People's Front forces held a so-called Grand National Assembly in Kishinev at which it was decided not to sign the Union treaty. A decision by the republic legislature stripped deputies elected by our region's inhabitants of their mandates. This is a flagrant anticonstitutional act. A draft local self-government law which is essentially aimed at restoring the power structure of bourgeois Romania, up to and including the appointment of vice-regents, is being discussed.

All this is humiliating. All these and many other humiliations forced my constituents to instruct me to report to you, lofty congress.

We have a Constitutional Oversight Committee, a Legislation Committee, and a Nationalities Policy and Interethnic Relations Commission, yet the republic is violating laws with impunity under the flag of sovereignty. It is essential to react to this, comrade deputies, because more and more of the 60 million people who do not have autonomy are finding themselves in this kind of situation.

I propose that the resolution of these questions be expedited, that the resolution of this task be addressed, and that a Union body be created for this purpose. I am instructed to propose that the Union treaty also be signed by representatives of peoples who do not have autonomous entities of their own.

Mikhail Sergeyevich, we beg you to defend justice, not to issue a decree as reactionary forces wish, since, as you have said, it is impossible to build your own happiness at someone else's expense. Here I support those who have urged organization and responsibility when documents are being adopted so that deputies do not succumb to any provocations or coercion. [passage omitted]

## Lukyanov Report on Constitutional Amendments

*PM2212160590 Moscow PRAVDA in Russian 22 Dec 90 pp 2-3*

[Report by Supreme Soviet Chairman Anatoliy Lukyanov on changes and additions to the USSR Constitution; delivered at the Fourth Congress of USSR People's Deputies in the Kremlin Palace of Congresses in Moscow: "Life in the Constitution, the Constitution Into Life!"]

[Text] Esteemed comrade deputies, the draft law on changes and additions to the USSR Constitution envisages a package of radical measures connected with reorganizing the power structures, improving the leadership system of the state, and strengthening the Soviet constitutional structure.

As you know the president of our country, in fulfilling the USSR Supreme Soviet's instructions put forward specific proposals on the structure and functions of executive power. These were approved by the Union legislature. Now, taking into account the fact that the president has already reported to the Fourth USSR Congress of Peoples Deputies on the concept of the proposed innovations, allow me to dwell only on those changes to the existing USSR Constitution which require further interpretation.

The draft law which you have in hand contains three basic blocks of such problems. The first and, in the Supreme Soviet's opinion, the most considerable block is connected with the cardinal reform of the state government system. What is under discussion here? In essence what is under discussion is continuing and deepening those transformations in the power mechanism which were implemented by the extraordinary Third USSR Congress of Peoples Deputies which this spring decided to establish the post of president of the country.

The changes that were introduced at that time into the Union Constitution made it possible on the whole to include the institution of the presidency into the system of supreme state bodies and to determine the demarcation lines between the power structures. However, the assimilation of these powers showed that only the very first step had been taken to strengthen Union executive power, that it was necessary to create a much more effective mechanism for implementing the laws and presidential decrees. This mechanism should coincide with the urgent tasks of the transitional period, resist the disintegration of the executive power structures, decisively halt crime, and ensure that the crisis phenomena which have accumulated in society are overcome.

This in turn predetermined the need to reform the whole USSR state government system and first of all at the level of a body such as the Council of the Federation.

The draft law that is offered to you grants to the Council of the Federation qualitatively new powers. Before, this body was called on mainly to facilitate strengthening the interaction between the republics and the republics' participation in tackling issues of union significance and national policy, but the role of the Council of the Federation is now being changed rather substantially. From the consultative body it has been so far, the Council of the Federation which acts under the USSR president's leadership and is composed of top state officials of the republics is granted broader powers. It is becoming a body that will adopt decisions on very important issues in the life of the Union, republics, and the country as a whole.

In the political and juridical sense it will be a special presidential organ whose main funciton will be to coordinate the activities of union and republic supreme bodies of power and administration in implementing those directives of national and foreign policy which are determined by the USSR Congress of People's Deputies.

It is also planned to consider issues related to observing a future Union treaty within the powers of the Council of the Federation. Moreover, the council of the Federation will have to participate in resolving disputes and settling conflict situations that today are exacerbating the situation in a number of republics and the country's regions to the hilt.

I would like to draw your attention to Article 127.4 of the draft—you have it—in which the powers of the Council of the Federation members are defined. They are delegated the right both to uphold and protect the interests of their republic and to implement union powers as equals. And what is more, it is proposed to include a norm in the Constitution which will allow the president—besides handing over a number of his duties to the vice president and the Supreme Soviet Chairman—to give this right to the Council of the Federation members as well.

It is proposed that Council of the Federation decisions be adopted by a majority vote of not less than two-thirds and implemented in the form of USSR presidential decrees.

The draft on abolishing the USSR Presidential Council proposes that mention of this body be deleted from the Constitution. The need to implement the presidential powers more effectively has predetermined the establishment of the post of USSR vice president. He will be elected according to the proposals of presidential candidates and will carry out individual functions of the president when authorized by the latter to do so. He will also be the head of the highest state inspectorate.

With the appearance of a new post on the political scene the question arises of what the procedure for electing the incumbent should be? Logic dictates that since the first USSR president was elected by the USSR Congress of People's Deputies it should evidently be possible to elect the country's vice president for the first time using the same procedure—directly at our congress.

It is intended to introduce fundamental changes to Chapter 16 of the article of the Constitution which determines the legal status of the union government. The USSR Supreme Soviet supports the proposal to form—instead of the Council of Ministers—a new body subordinated directly to the president: the USSR Cabinet of Ministers. The point is to set up, under the president, the highest executive and managerial body to strengthen the government of the country, to implement economic and social reforms and, naturally, to tackle practical tasks connected with the transition to a market economy.

Naturally these transformations entail significant structural and cadre changes, the abolition of the obsolete bodies and the appearance of new management bodies which correspond to the requirements of life. The draft law defines the procedure for forming the Cabinet of Ministers. It is pointed out here that the prime minister will be endorsed by the USSR Supreme Soviet at the behest of the president. The Supreme Soviet will also consent to or reject the candidacies of cabinet members. The USSR Cabinet of Ministers will be responsible both to the country's president and to the union legislature.

If the USSR Supreme Soviet expresses a lack of confidence in the Cabinet of Ministers it should result in its resignation. For a decision of this kind to be adopted a majority of no less than two-thirds of the total number of USSR Supreme Soviet members is needed. In other words, comrades, this point states that the USSR Supreme Soviet fully retains, as before, a most important function of control over the executive power. If we speak of the responsibilities of the Cabinet of Ministers, it is proposed to vest it with a right to decide on all questions concerning governing the state which fall within the powers of the Union of Soviet Socialist Republics, except those which, according to the Constitution, fall within the powers of the Congress of People's Deputies, the Supreme Soviet and the Council of the Federation.

You must have noticed that these powers of the Cabinet of Ministers coincide—in the way in which they are phrased—with those which it is intended to enshrine in the new union treaty as belonging to the USSR. But as you know the powers in the draft treaty are significantly narrower than the present ones. The new constitutional norm will mean a substantial curtailment in the USSR Government and other union bodies' powers and at the

same time a strengthening of the sovereignty and independence of the union republics.

Moreover, the Cabinet of Ministers will now tackle many questions jointly with the union republics. What questions? These are the pursuance of a unified financial, credit, and fiscal policy based on a common currency, the compilation and execution of the union budget, the implementation of all-union economic programs, and the creation of development funds and funds to eliminate the consequences of natural disasters and catastrophes. It is proposed that the management—jointly with republics—of a unified national fuel energy and transport system, of defense enterprises, of space research, of meteorology, geodesy, cartography, metrology and standarization, and the implementation of an agreed upon ecological policy should be among the cabinet's powers.

Together with the republics the Cabinet of Ministers will ensure the implementation of all-union programs for food, health, mother-and-child care, culture and education, fundamental scientific research, and the stimulation of scientific-technical progress.

The most important functions of the Cabinet of Ministers remain implementing USSR foreign policy and coordinating foreign political and foreign economic activity of the republics, customs matters, and also implementing measures coordinated with the republics to ensure law and order, the rights and freedoms of citizens, and the protection of property and public order in the battle against crime.

All these powers as already noted are referred to in the new draft union treaty. And naturally if it is signed in a different form the corresponding amendments will be entered into the constitution and into the Cabinet of Ministers obligations.

The presidential power mechanism provides for the creation of yet another, quite new body. This is a security council under the USSR president. Its tasks will include carrying out all-union defense policy in the country, maintaining its reliable state, economic, and ecological security, overcoming the consequences of natural disasters and other emergency situations, and ensuring stability and order in society.

As the president pointed out, the studies and ideas voiced by a number of USSR people's deputies and Supreme Soviet members were taken into account when working out these additions to the Constitution.

And one more thing on this. It is proposed to indicate in the Constitution that the Security Council will be headed by the USSR president and he will oppoint members of the council taking into consideration the council of the Federation's opinion. This will be agreed by the USSR Supreme Soviet.

Lately many reproaches—both well-grounded and not always just—have been heard on the fact that laws adopted by the country's parliament are not operating. Without going into polemics now on this point I would like to emphasize that one thing is absolutely clear and that is that ensuring the effectiveness of the new laws remains one of the weakest links in our whole political system's functions.

Both the legislature and the president are having to deal with an open and at times defiant refusal to accept new union acts and with the fact that laws are not ebing executed by republican and local bodies of power. To be blunt, in many cases it is first of all because of underlying secret political considerations. One of the reasons for this abnormal occurence is the fact that clearcut mechanisms for implementing laws and presidential decrees in the localities are not present in our legislation.

Proceeding from this it has been suggested to include a statute stating that the USSR president is the head of the whole system of the country's state power bodies in Article 127.3 of the Constitution. Acting through this system, as well as through the Highest State Inspection subordinated to him, he will be able to influence actively in all spheres of the laws and other important state decisions. At the same time functions of the Highest State Inspection cannot and should not coincide with either parliamentary supervisory functions or those of the procurator. The organization and plenary powers of this inspection will be determined by a special law.

At a recent conference of state enterprises directors in the Kremlin one of the Vorkuta representatives made a rather caustic remark about the fact that there are four conductors above him, all at the same time. They are represented by union bodies, of the Russian Federation, the autonomous republic, and a local Soviet. The trouble in his opinion is not the fact that there are four of them. We somehow got used to this number of bosses. The trouble is that every one of them is conducting according to their own score. I know how it would sound from the musical point of view, but from the political point of view this comparison is absolutely correct.

The exclusion of Article 149 from the text of the Constitution—according to which it is compulsory for local soviets to elect presidiums headed by soviet chairmen—will help to get rid of this discordance and to achieve the strict differentiation of plenary powers of local soviets and their executive committees.

As deputies asked me to comment on this norm in particular I would like to make it clear that it does not envisage the abolution of all soviet presidiums immediately. The question of whether or not local soviet presidiums should exist, and whether or not the soviet

chairman can be the head of the soviet executive committee will henceforth be tackled by the repubics themselves in their constitutions.

That is, after the introduction of such a change in the USSR Constitution, obstacles will no longer be created for any resolution of this question which is justified from the point of view of the republics.

At the same time, a clause is to be included in Article 150 of the Constitution that the executive committees of local soviets of peoples deputies are obliged to carry out the laws of the USSR, presidential decrees, and other acts of the supreme bodies of state power and government of the Union and of the republics adopted within the limits of their competence. As you can understand, this norm also puts a lot of things in their place.

The strengthening of the bodies of state government also gives rise to the need to return once again to the constitutional powers of the USSR Supreme Soviet, and this, comrades, is the second block of problems contained in the draft law. It is necessary to stress right away that these problems are resolved in such a way as to ensure that the functions of the Supreme Soviet not only are not narrowed down but on the contrary are expanded and strengthened both in the sphere of creating legislation and in the sphere directly connected with monitoring the implementation of the laws and the work of the bodies of government.

At the present congress, the thought has been expressed on more than one occasion that the imposition of the necessary order in the country is not possible without the strict observance of the principle of the supreme of Union laws which are adopted within the framework of the competence of the USSR, that lawlessness and the ignoring of Union laws by republics and local bodies has cost us and is continuing to cost us too high a price. Strictly speaking we have come to such a political and, if you like, moral point when cooperation between bodies of the USSR and bodies of the Union republics should return to the firm ground of legality, when they need a mechanism allowing both the Union bodies and the republican bodies to react rapidly to any violation of their competence.

To ensure this, it is proposed to add to Article 113 of the USSR Constitution a norm saying that the USSR Supreme Soviet is charged with examining protests from the supreme bodies of state power of the Union republics against acts by the president and the Cabinet of Ministers if they, in the opinion of a republic, violate its rights and also the Constitution and laws of the USSR.

A decision on a protest must be adopted at the next session of the USSR Supreme Soviet, after a period of no more than one month. Thus, the legislature has an extra burden on its shoulders, but clearly there is simply no other way out at the moment.

Certain other changes are planned in the powers of the Supreme Soviet connected with ensuring civic accord in society. With this in mind, it is envisaged, among other things, to grant the USSR Supreme Soviet the right to adopt decisions between congresses of USSR people's deputies on holding a nationwide ballot, a referendum. Such a norm is included, as you know, in the draft law on a referendum, which has been presented to the congress.

Further, according to the Constitution, as is known, part of the functions of the country's Supreme Soviet is the interpretation of Union laws. It must, however, be said frankly that we resort to this measure quite rarely due to the constant work being carried out on new laws. In order to eliminate this deficiency, it is proposed that the right to interpret laws should be held both by the Supreme Soviet directly and, under its instructions, the Presidium of the USSR Supreme Soviet.

And one more question. When our supreme legislative body had just got down to work and taken its first steps, we set our tasks and—you probably recall this—I have had occasion to speak about this, to ensure that we never have any major questions of the life of the country which fall outside the field of vision of the Supreme Soviet, so that all spheres of the leadership of society should be under its control. Let us be frank, such an approach, although we have not as yet been able to implement it in full measure, by no means impresses everyone. Reproaches are frequently made by individual members of the government and heads of ministries—and they have been at this congress, too—that the USSR Supreme Soviet understands its control functions too widely. Yet one supposes that this is not so. Up to now we have always had our own forbidden areas in which, so to speak, it has not been the done thing to involve the USSR Supreme Soviet.

They were in the international sphere and in the sphere of the country's defense, in the security sphere, in the sphere of space, and in a number of other spheres. However, I think that now such times has passed. And as chairman of the Supreme Soviet I have done and I shall continue to do everything to ensure that no such untouchable spheres should exist; to ensure that monitoring by the Supreme Soviet, and that means monitoring by representatives of the people, should extend to all spheres of administrative and executive activity.

Yes, of course, such monitoring, such a critical investigation of any situation should be done competently and correctly. Yes, criticism should not wound people's dignity. But without it, restructuring of our work is simply unthinkable. One can be offended, one can be indignant, but everyone will have to swallow this bitter criticism. And if we wish to carry further the political reform and the processes of democratization, we are obliged to step up legislative monitoring. Its shortcomings are costing us

too dearly, especially in the questions of expenditure of state resources, the implementation of the budget, and the use of public property.

As a practical step toward ensuring stricter monitoring in this sphere it is proposed to institute the Monitoring Chamber [kontrolnaya palata] of the USSR under the Supreme Soviet. It will be elected by the Union parliament, work under its guidance, and present its reports to the Supreme Soviet. The Monitoring Chamber is given the right of legislative initiative and the right of appeal to the constitutional oversight committee. In connection with the creation of this, it is proposed to abolish the Union committee of People's control of the USSR.

It is evidently worth adding that the organization and procedure of activity of the Monitoring Chamber will be determined in more detail in a special law.

Thus, comrades, the draft changes to the Constitution in this section rely on one basic idea. If we expand and strengthen the powers of executive power, it is necessary to carry out a commensurate expansion and strengthening of the powers of the legislative, representative power. Any other approach is simply unthinkable.

And now, about the third block of changes and additions to the USSR Constitution. It combines proposals directed toward stabilizing public relations, strengthening law and order, and stepping up the fight against crime. Life has shown that the formation of a new legal base and the work of the law-enforcement bodies are at the moment not having the desired effect on the situation in society. Things have gone so far that by the decision of the USSR Supreme Soviet of 23 November, in the event of a violation of rights and the emergence of a threat to the lives, health, and property of citizens, the president is given the right to adopt all measures, including emergency measures.

Therefore, a realistic assessment of the state of affairs could not but lead to the idea of creating under the USSR president a special coordinating committee for the fight against crime. It is proposed that, while preserving the complete independence and responsibility of the law-enforcement bodies, this committee will determine the basic directions of the work of the law-enforcement establishments, coordinate and implement agreed measures in the fight against crime, the monitoring of the execution of decisions in this sphere, and work out proposals aimed at strengthening law and order. It goes without saying that this newly-formed body could also participate in working out draft acts of legislation and table them to the USSR Supreme Soviet.

In studying this problem with professionals, both scientists and practical workers, it has been deemed expedient to set up a special service in tuhe fight against the more dangerous crimes—first and foremost organized and economic crime in the shady economy. The new service will be called upon to pool more closely the efforts of key personnel in this field in departments, the Ministry of Internal Affairs, the Committee for State Security, and the USSR Procuracy.

In this connection, one cannot bypass the question of the imminent reform in building the procuracy and the courts. So far it has not been presented to you in the form of specific constitutional amendments; but, comrades, it is worthy of the closest attention. Indeed, quite a number of proposals have already come in on this score, and they have already come from deputies. For example, Comrade Trubin, the new USSR procurator general, is tabling the proposal that the country's procurator general should be appointed by the USSR Supreme Soviet on representation of the president and endorsed by the Congress of People's Deputies and should be accountable to it.

As far as the procurators of the Union republics are concerned, he considers it possible that they should be appointed, on the representation of the procurator general of the USSR, by the Supreme Soviets of the republics and should be accountable to them; but in their activity in supervising the fulfillment of all-Union laws they should be subordinate also to the procurator general of the USSR. It is proposed separately to stress in the Constitution that the bodies of the procuracy carry out their functions independent of any local bodies of power and government.

The proposal made by a number of deputies to transform the USSR State Board of Arbitration into the USSR Supreme Economic Court deserves serious attention. This is proposed also by the newly appointed chief arbitrator of the USSR, Veniamin Fedorovich Yakovlev. This reorganization is conditioned first of all by the expansion of the rights of the republics in regulating economic relations in the formation of the market economy, by the necessity of ensuring the independence of the arbitration courts and of excluding interference in its activities by any other bodies.

The strengthening of the whole law enforcement system, the creation of a supreme economic court alongside the USSR Supreme Court, and also the possible transformation of the Constitutional Oversight Committee into a Constitutional Court will ensure—alongside a strong legisaltive and an effective executive power—an authoritative judicial power in the country. That is, the classical democratic triad will be created which will prevent any slide toward authoritarianism.

Comrades, I would also like to say that the draft law which has been presented to you takes into account many proposals put forward by the deputies during the discussion of the draft in the USSR Supreme Soviet. They have helped to reflect more exactly in the Constitution the transformations that are taking place in the

political, economic, and other spheres of life; to remove from its text obsolete provisions; to include in it very important norms of recently adopted laws. Thus, in accordance with Deputy Yudin's proposal, the status of the vice president was determined more fully. It is envisaged that he should not only head the supreme state inspectorate but should also carry out a number of other presidential duties in the sphere of foreign political representation, awards, and deciding questions of citizenship.

Several new points proposed by Deputies Karimov and Levykin were included into the draft. They reflect a fundamental change in plenary powers of the Council of the Federation. These deputies' ideas were taken into account while defining the status of members of the Council of the Federation. People's Deputies Nazarenko and Sebentsov and others submitted a number of proposals in connection with the institution of the Security Council. Their proposals laid the foundations for Point 10 of Article 127-3 of the draft which is being discussed. The order of the forming and competence of the Cabinet of Ministers were made more precise. Proposals concerning this issue were received from Deputies Vnebrachnyy, Mamedov, and others which were reflected in a new edition of Article 131 of the Constitution.

Deputies put forward a number of proposals which, although not part of the text of amendments submitted to you, still deserve some attention and additional study. So, People's Deputies Levashev and Nazarenko suggested that the preamble should be excluded from the Constitution, owing to the fact that it does not reflect modern realities of the development of the Soviet society and state. Proposals saying that the chairmen of the chambers of the USSR Supreme Soviet should have a right to take part in sittings of the Council of the Federation are being voiced. This proposal, especially the part about the participation of the chairman of the Soviet of Nationalities in the work of the Council of the Federation, evidently deserves some attention at least for the reason that the Council of the Federation and the Soviet of Nationalities should work very closely together.

Deputy Kim Yen Un and several other comrades suggested that those people's deputies who are elected members of the Supreme Soviet should by all means be released from their previous work in industry or in an office. This issue is the subject of lively discussion, which in principle shows that this proposal is rather acute. At the same we cannot ignore the stand of those deputies who think that the implementation of this proposal is premature at this stage. They think that a considerable amount of people's deputies could secede from the composition of the Supreme Soviet as a consequence of such a step. And their participance in the work of the parliament is both necessary and useful. One more point of view regarding this issue—at present it would be beter if only the first step were taken—if a statute, according to which people's deputies should consider their work as membes of the USSR Supreme Soviet to be their main job, were added to the first part of Article 123 of the Constitution.

In concluding this section I should like to stress that the changes proposed for insertion into the Constitution are of an urgent character and cannot await the adoption of a new Basic Law. Work on them is proceeding within the framework of the constitutional commission that was set up by the First Congress of USSR People's Deputies. As a member of this commission I can say that a working group under Academician Kudryavtsev has already drawn up a draft concept and a draft structure for the new constitution of the USSR. You are in possession of the relevant information on this. There are several versions of the text of the basic sections of the draft constitution.

The working group itself was recently supplemented by USSR people's deputies representing the autonomous formations, and arrival at the finish line at the present time is dependent mainly on progress in concluding a new Union Treaty, which undoubtedly should become a most important component of the new constitution.

In conclusion I should like, esteemed comrades, to note the following. Our joint experience of late and especially in the past shows that reorganization, structural changes, and a rearrangement of the governmental system may—for all their importance—remain without results unless they are filled with fresh cadre content and truly creative work. It is of course, in practice very important to ensure a precise distribution of functions and close interaction between the president, the Council of the Federation, and the future USSR Cabinet with all other bodies of state power and government and above all with the Congress of People's Deputies, the Supreme Soviet, and with the whole corps of the country's deputies.

Certainly the consistent strengthening of a soviet-type presidential republic embodying a revitalized union of sovereign republics is becoming, as a whole, of key importance. This is all so, but when alarm bells are ringing as loudly as possible throughout the whole country and in this hall, and when everywhere people are requiring not speeches and words but real tangible deeds, there is nothing more important than daily, hard, intensive work by each and every one and by those bodies that we intend to set up.

In restructuring the system of authority and administration—and this is the most important thing today—we must do our utmost to ensure that it is effective; that its impact is appreciated by the people; that the efficacy of this system is not measured in the number of harebrained schemes devised or the number of meetings held, but in the prosperity and tranquillity of millions of people, the restoration of their confidence in the future. The machine of state which is being renewed

by us must pick up speed and move society in precisely this direction. Such, basically, is the main aim of the proposed changes to the Constitution, our country's basic law.

### Radio Coverage of 21 December Sessions

*WA0501124990*

For Moscow Domestic Service recorded coverage of the 21 December session of the Fourth Congress of USSR People's Deputies, see the 24 December Soviet Union DAILY REPORT, page 37, column one.
For the speech by Rafik Nishanov, first secretary of the Uzbek Communist Party Central Committee, see the 24 December Soviet Union DAILY REPORT, page 44, column two.

## 22 December

### Speeches From Congress Sessions Reported

*PM2712172090 Moscow IZVESTIYA in Russian 25 Dec 90 Union Edition pp 2-8*

[Continuation of "Stenographic Record of Fourth Congress of USSR People's Deputies," this section covers the 22 December morning session through deputy Romanov's speech at the beginning of the 22 December afternoon session]

[Excerpts]

#### Eleventh Sitting

Kremlin Palace of Congresses, 22 December 1990, 1000.

V.N. Kalish, steelworker at the Zaporozhye "Dneprospetsstal" A.N. Kuzmin Electrometallurgical Plant, is in the chair. [passage omitted]

**A.M. Obolenskiy,** *designer-engineer at the Polar Geophysical Institute of the USSR Academy of Sciences Kola Scientific Center, Apatity, Murmansk Oblast (Leningradskiy Selskiy National-Territorial Electoral District, Russian Soviet Federated Socialist Republic [RSFSR]):* Esteemed people's deputies! We evidently made a mistake when we voted on the first day of the congress for abridged television coverage, forgetting that freedom of speech either exists or not—in the middle ground there is only half-truth. I must express my "admiration" for the virtuosity with which the technical group in question is censoring our speeches. There were eight cuts in my 19 December speech, which I delivered on the instructions of the Social Democratic Group of people's deputies. Some 60 percent of it was cut, and not a single cut was noticeable when you watched it. This was not an individual deputy's speech being distorted, but the political stance of a congress faction. All the elements of sharp criticism of the CPSU, the Russian Communist Party, and the president personally were cut out. Incidentally, in a subsequent speech all the attacks on Deputy Travkin, leader of the Democratic Party of Russia, were broadcast in full. Who wants this kind of half-truth? I am sure the voters do not want it....

**Chairman:** Comrades, let us keep to the Standing Orders. Please.

**G.M. Petruk-Popik,** *senior secretary of the Ternopol Oblast organization of the Ukrainian Writers' Union (Zbarazhskiy Territorial Electoral District, Ukrainian Soviet Socialist Republic [SSR]):* Esteemed deputies, esteemed chairman! I have realized that I am not going to be given the floor at this congress either on the main questions or in the "miscellaneous" section, and so I will say this. The rushed preparations for the conclusion of a new Union treaty constitute a bold, great-power challenge to the peoples whose legislatures have adopted declarations on the state sovereignty of their countries. For the Ukraine, independence is not only freedom, but a question of survival. To repair the collapsing colonial empire, this Union home that is in a state of disrepair, is not only futile but dangerous.

In this connection I propose that the 1922 Union Treaty be denounced and the conclusion of a new Union treaty be deemed premature. That we suspend the operation of the USSR Constitution and Union laws that retard....

**Chairman:** Comrades, let's have the proposal first. Then tell us all the rest. You must go along with the Standing Orders. (Noise in the hall) Please.

**V.V. Davituliani,** *member of the Soviet of the Union Commission on Questions of the Development of Industry, Energy, Equipment, and Technology (Tambovskiy Territorial Electoral District, Tambov Oblast):* Esteemed deputies! I am afraid many of you simply do not realize how serious the situation is. E.A. Shevardnadze's departure indicates that the Union we are trying to construct with the help of amendments to the Constitution has no prospects. Presidential rule will not solve the problems. It could hold out for a time either with the help of the Army or with the help of economic blackmail with regard to the republics. But this will end in increased confrontation and bitterness in the republics. That cannot be allowed. In this connection, esteemed deputies, I have the following specific proposals:

First, I propose holding a roll-call vote on yesterday's proposal from the Interregional Deputies' Group on immediately convening a Council of the Federation consisting of the leaders of the republics. That council should submit proposals for the further work of the congress.

Second, now, while the council is assembling, we should move on to the question of the rotation of the Supreme Soviet. [passage omitted]

**A.S. Danilenko,** *chairman of Buznitskiy Kolkhoz, Mironovskiy Rayon, Kiev Oblast (From the kolkhozes united by the Union Kolkhoz Council):* I am not going to talk about the peasants' troubles, I spoke at the meeting with M.S. Gorbachev and N.I. Ryzhkov. I wish to speak briefly about something else. Today's speech by Deputy Petruk-Popik and yesterday's speech by Deputy Chernyak do not reflect the aspirations and thoughts of the Ukrainian people. Why do I say this? The situation in the Ukraine is, of course, complex. Our Ukrainian people, the people who live in what I believe to be the most beautiful land of all (I was born there), the land of the Ukraine, are indeed in favor of free development and sovereignty for the republic. But at the same time just think how close our economic ties are at present. That is why I protest against the speeches by Deputies Petruk-Popik and Chernyak, who said that the Ukrainian people do not want to conclude a Union Treaty. That is not so, it is not true. (Applause) [passage omitted]

**A.G. Zhuravlev,** *deputy chairman of the Soviet of the Union Commission for Labor, Prices, and Social Policy Questions (Minskiy-Sovetskiy Territorial Electoral District, Minsk Oblast):* Esteemed congress! Before I begin my speech I must apologize to esteemed A.S. Dzasokhov. Many people wrongly interpreted the view I expressed that in Belorussia, at the 31st Belorussian Communist Party Congress, it was pure chance that a right-wing coup did not take place. That should not be laid at Comrade Dzasokhov's door, because it was largely thanks to him, and also to many honest Belorussian Communists, that it did not happen.

The fact is that there was a danger that Comrade Brovikov would become head of the Belorussian Communist Party. Perhaps I cannot make it clear to everyone who Comrade Brovikov is, but everyone knows who Nina Andreyeva is. Well, Brovikov is a Belorussian Nina Andreyeva.

Let me give you a further brief report on the events taking place in Belorussia. Esteemed partisan brigade commander A.Ye. Andreyev! As a small boy I grew up in the partisan forests, and therefore I have an intuitive feeling for danger. My intuition has never deceived me, at least not yet. Today I sense this danger in the events taking place in Belorussia. Do you know that on L.I. Brezhnev's birthday they not only remembered the date in Belorussia, they also remembered who congratulated him on his 70th birthday and in what way? Three congratulatory telegrams were published. I think you know the names of the people who signed these telegrams. They were, of course, Comrades Gorbachev, Shevardnadze, and Yakovlev. If this is not a plot, as Deputy Chernyak said yesterday, then, as L.P. Beriya used to say: He who has eyes, let him see. (Noise in the hall)

Thus, esteemed comrades, I appeal to all of you, because I am not a "hawk," and I am not scum. If I was, I would never have ventured to mount this rostrum. I appeal to every one of you: those who intend to live within the Union, those who intend to leave it, and those who are prepared to live within it, but only on certain conditions. I appeal to you because at the moment a great trouble threatens every one of us, regardless of our convictions or stance. I want to try to convey my vision of what is happening and explain how we could break out of this impasse. I repeat, I respect every one of you, regardless of your stance.

Our president has had to listen to a great many unpleasant words. So I will venture to say a few unpleasant words to the other presidents, as well as the contenders for the post of president. Has it not occurred to you that the more presidents there are in the country, the less order there is? (Applause) I say that there is a direct connection.

Many people are being drawn willy-nilly into "fiendish games." When esteemed E.A. Shevardnadze was on this rostrum and was asked to name names, he said he would not name names. I will not name names either. (Noise in the hall) Just a moment, I will name them when it is necessary. But I want to say that I know the names. (Noise in the hall) I will simply mention them, and you yourselves will guess who is at the head of the plot. The plot is headed by an evil genius! So look for a genius and an evil man, and you will not be far from wrong.

The situation is really very serious, and if you have not grasped Eduard Amvrosiyevich's warning, tremendous danger will come to all of us. There is a way out for us. Therefore I join my voice to those who say: Enough talk, we need action.

What action do we need today? I support all that Deputy Sobchak said here, I support all that Comrade Alekseyev said here, and I agree to a great extent with what Deputy Chernyak said. (Noise in the hall) There is a direct connection here. If we want to emerge from this situation, a single possibility exists—the country needs authority. If this congress is capable of rectifying two mistakes it made, which have resulted in everything negative that is happening in the country, then the country will be saved.

The first mistake was made at the first congress, when we refused to take power into our own hands, as A.D. Sakharov proposed. The second mistake was made a year ago, when we refused to sign the Union treaty. Yes, the signing of the Union treaty is overdue, we should have signed it a year ago. Therefore, unless we regain the people's confidence now and take power into our own

hands, a great trouble lies in store for all of us and all our people. We can do this, and therefore we must adopt an appropriate decision at this congress.

Once before we failed to hold a "congress of victors." So let us hold it now. If the congress proves capable of taking power into its own hands and saying that the treaty must be signed quickly or never.... Think about what Comrade Khasbulatov said from this rostrum yesterday in his final sentence: If we sign the Union treaty, the Constitution will be unnecessary. But if we do not sign it, the country will be unnecessary....

**Chairman:** Your time is up, stick to the Standing Orders.

**A.G. Zhuravlev:** If this congress takes power into its own hands, our country, our Union, and the fraternity of our peoples will live on.

**Chairman:** Deputy Kazannik has the floor, for the Interregional Deputies' Group. Comrade Kryuchkov, get ready.

**A.I. Kazannik,** *head of the Faculty of State Law, Administration, and Soviet Building at Omsk State University (Omskiy National-Territorial Electoral District, RSFSR):* Deeply esteemed comrade people's deputies; no less esteemed presidium! The Interregional Deputies' Group draws attention to the well-known fact that the 1977 USSR Constitution is totally obsolete and cannot adequately regulate social relations. We express regret that the Constitutional Commission has not yet drawn up a new draft USSR constitution. Nonetheless we are convinced that things will proceed far more rapidly now, because we have some fine models. I refer to A.D. Sakharov's draft constitution and in particular the draft constitution of the Russian Federation.

Since our country is living through a very difficult period, since the laws are not working and a paralysis of power can be seen, the Interregional Group supports the efforts of the USSR Supreme Soviet and the USSR president to improve the system of organs of state management and step up the role and authority of executive and administrative organs.

We believe that the system of state organs should be improved on the basis of the fundamental decisions of the First Congress of USSR People's Deputies. Section 4 of the Resolution of the First Congress "On the Basic Guidelines for Domestic and Foreign Policy of the USSR" says that the full plenitude of power in the USSR belongs to the soviets of people's deputies. I therefore believe that we should improve the system of state organs in such a way as to preserve the principle of separation of powers and the monitoring powers of the USSR Supreme Soviet, so that it exercises the highest legislative oversight of the activity of all state organs. Nor can we ignore the declarations adopted by the highest organs of state power in the Union republics. For me as a lawyer, the most important thing is not individuals, but the situations and social relations that will be generated by legal norms.

In this connection I would like to submit specific proposals for the draft law on amendments and additions to the USSR Constitution (Basic Law) in connection with the improvement of the system of state administration.

In Article 113 of the USSR Constitution, which enshrines the powers of the USSR Supreme Soviet, Point 4 says that the Supreme Soviet elects the specified highest state organs. Here, in my view, we should add that it elects a Control Chamber from among the USSR people's deputies and appoints its chairman. Specifically from among the people's deputies.

Point 5 of the same article says that at the Supreme Soviet session the deputies hear reports from the country's highest officials. I propose that the following provision be added to this formula: The USSR Supreme Soviet may express no confidence in the president, vice president, and prime minister in the event of violation of the Constitution and laws of the USSR, abuse of official position, presentation to the USSR Supreme Soviet of information that is not in accordance with reality, or commission of actions testifying to their incompetence. After all, our state has often been headed by people who were not merely dictators, but incompetent too.

Point 18 says that the USSR Supreme Soviet may revoke resolutions and instructions of the USSR Cabinet of Ministers. I propose that it be stated here that the USSR Supreme Soviet also has the right to revoke decrees of the USSR president. That will be sufficient to exercise rigorous control.

Article 127(3) outlines the powers of the USSR president. Here it is stated that, taking into account the opinion of the Council of the Federation, the president forms the USSR Cabinet of Ministers, and by agreement with the Supreme Soviet submits candidacies for the post of prime minister and members of the cabinet. This formula "by agreement" is borrowed from the practice of legislative acts in the Anglo-Saxon legal system. For us, I think, it would be more appropriate and comprehensible to state that the president submits for approval by the Supreme Soviet the candidacy not only of the prime minister, but of all the cabinet members. Why should we not approve the whole of the government? I cannot understand that at all.

Point 9 of the same article states that the president has the right, on questions falling within the competence of the USSR Supreme Soviet, to suspend the operation of resolutions and instructions of the Councils of Ministers of Union republics. I think this power can indeed be specified, but it is essential to add that in that event the president makes a submission to the Supreme Soviets of

the Union republics and the decisions of the Supreme Soviets on the matter are final. Otherwise some kind of unresolved legal situation arises.

I would like to draw your attention to the competence of the Council of the Federation. In particular, Article 127(4) expresses the idea that the Council of the Federation has the right to coordinate the activity of the republics' highest organs of state power. I cannot agree with this. The republic Supreme Soviets express the sovereignties of their peoples. No one has the right to coordinate their activity.

Part 6 of this same article formulates a very dangerous power of the Council of the Federation. The Council of the Federation includes the presidents of republics and chairmen of Supreme Soviets. But it says here that they adopt decisions by a majority of at least two-thirds of the votes. This situation is worthy of the pen of the immortal Dostoyevskiy. Imagine a situation where the Council of the Federation, by a majority of two-thirds of the votes, instructs our esteemed leader B.N. Yeltsin to implement decisions on Russia's territory that are contrary to our legislation....

**Chairman:** Excuse me, your time is up.

**A.I. Kazannik:** I will just complete this point. I wish to say that there is no way he can be made to implement these decisions. Therefore it should be stated here that "decisions of the Council of the Federation are adopted only on the basis of consensus." [passage omitted]

**T.N. Shmonina,** *director of No 17 Secondary School, Magadan (From women's councils united by the Soviet Women's Committee):* [passage omitted] We can no longer allow our power to skid impotently on the spot nor its decisions to be ignominiously shelved. This is not power, as M.S. Gorbachev said, it is a morass of power. So I support the basic tenets for reform of the executive presented by the president to congress.

In this connection, in my view, the proposed amendments and additions to the basic law—the USSR Constitution—make it possible to bring it into line with the decisions already adopted by the country's Supreme Soviet on improving the system of state management. The proposed amendments and additions to the country's Constitution can be regarded as an important constructive step toward stabilizing the economy and the situation in the country as a whole. Today there is no more important task. The essence of these changes lies in creating an effective institution of executive power to match the times and the prevailing conditions.

The fact that the projected changes do not affect the democratic principles underlying people's power is also fundamentally important as far as I am concerned. All executive power still remains under the control of the country's supreme organ of power and will be exercised within the framework of the constitution and existing laws.

The USSR president's report self-critically assessed as confusion and paralysis of executive power the situation prevailing in the division of powers between elected organs and their ispolkoms [executive committees], and also the disruption of the interconnection of executive power at all levels of the hierarchy. I totally agree with this assessment. I support the amendments to Article 149 of the Constitution concerning the abolition of presidiums of soviets of people's deputies in krays and oblasts and of the post of soviet chairman in cities, settlements, and villages. This is a totally artificial institution of power: Either it hampers the ispolkoms in most of their work, or else it is totally useless. The adoption of the proposed amendment provides an opportunity to eliminate this absurdity. There is just one thing I would like to ensure that at long last we learn to draw conclusions from the major errors we have made. There should be more consultation with the people on basic questions of the management of society. Only then will it be possible to avoid the adoption of thoughtless decisions which cause economic and moral damage to society and are rejected by practice and life itself.

I have a few remarks about the draft law. According to Point 2 of Article 113 of the draft, the Supreme Soviet "at the proposal of the USSR president forms and abolishes USSR ministries and other central organs of state management in the USSR." The natural desire of the compilers of the draft to grant the head of state the right to define the structure of executive power is perfectly understandable, but it would scarcely be correct to deprive the Supreme Soviet of the opportunity to make its own decisions on questions of forming the executive. I think it would be better to formulate this point as follows: "in the light of the USSR president's proposals forms and abolishes USSR ministries," and thereafter according to the text.

I think the draft does not define sufficiently clearly the procedure for appointing the USSR Cabinet of Ministers. I believe that the new Cabinet of Ministers should be formed according to the powers of the Union transferred to the center by the republics under the new Union treaty. Here it is important to prevent this from being merely a change of name: There used to be the USSR Council of Ministers, now there is the USSR Cabinet of Ministers. [passage omitted]

I think that the draft also fails to define the prime minister's role in appointing the cabinet members. If the prime minister has no part in resolving a question of such importance and does not have the right to pick his own "team," surely this will subsequently lessen his personal responsibility for the work of the cabinet? Incidentally, in general the draft as submitted poorly

reflects the role of the prime minister—a person holding such a responsible post in the state. According to Point 3 of Article 113, at the submission of the USSR president the Supreme Soviet approves the prime minister and agrees to or rejects candidacies for members of the USSR Cabinet of Ministers.

However, it should be borne in mind that according to Article 129, the cabinet of ministers includes ex officio the heads of government of the Union republics. In my view, clearer guarantees must be established regarding these cabinet members. We cannot allow the head of government of a sovereign republic appointed by its Supreme Soviet to be removed from his post by the president, even if it is with the consent of the USSR Supreme Soviet.

The wording of point 6 of Article 127(3) must be clarified. This states that the USSR president "forms the USSR Cabinet of Ministers with regard for the opinion of the Council of the Federation and by agreement with the USSR Supreme Soviet makes changes to it...." At the same time cabinet members are dismissed by agreement with the USSR Supreme Soviet, in other words, without regard for the opinion of the Council of the Federation. So I think that the words "and members of the cabinet" should be deleted from the last sentence.

One final point. I am a member of the CPSU and you would think I ought to be proud that the leader of my party is president of my country. However, increasingly often I ask myself the agonizing question: Have we not concentrated too much power in the hands of one man—he is general secretary of the country's foremost party, president as well, and supreme executive power is also under his command? The principles which we proclaimed at the first congress—namely the principle of the separation of powers—are being eroded. This may seem trivial, but I am again coming to think that our country's president ought to quit the post of party leader in the interests of the cause.

**Chairman:** Deputy Khusanov has the floor. Deputy Ilin should get ready to speak.

**A.U. Khusanov,** *deputy editor of the oblast newspaper KOMMUNA (Commune) (Fergana National-Territorial Electoral District, Uzbek SSR):* [Passage omitted] Thanks to perestroyka and thanks to M.S. Gorbachev, a new organ—the USSR Constitutional Oversight Committee—joined our country's supreme legislative organs. In creating it, we hoped that it would above all monitor the fulfillment of the Constitution and the implementation of its demands. But this did not happen, and the country slipped over the verge of disaster. We want democracy, but not anarchy; we want glasnost, but not blather.

How can we tolerate the fact that under the flag of democracy there is dyarchy in the Baltic republics, triarchy in Moldova, a total power vacuum in Armenia, and anarchy and blather in Russia. At our congress we have all voted in defense of M.S. Gorbachev, for his program for imposing order. We have not allowed those who wanted to prevent us from working normally to lead the congress in a different direction. Is it not time that M.S. Gorbachev and the country's leadership tackled domestic affairs? Mikhail Sergeyevich's popularity in the country is lower than it is abroad. Is it not time he held out a hand to Comrades Yeltsin, Nazarbayev, Karimov, and Akayev? That is better than not looking them in the eye. [passage omitted]

Comrades, I am worried that the draft law on amendments and additions to the Constitution changes the power structure but does not change the main thing—relations between the center and the subjects of the federation. As before, nothing is being done to transfer levers of power to the Union republics. [passage omitted]

I am deeply convinced that the Union republic's sovereignty must include the right to conduct international policy and foreign trade. Incidentally, the pre-Stalin Constitution included Uzbekistan's right to conclude treaties with others states. So the cabinet of ministers should not coordinate republics' foreign policy and foreign economic activity, as stated in Article 132, but help in every possible way to support the republics' activities in these spheres. That would be more in line with the essence of the declarations of sovereignty adopted in the republics.

Instead of the first sentence of Part 4 of this article, which says that the cabinet of ministers ensures the implementation of the USSR's foreign policy, it should say: "ensures the implementation of the foreign policy elaborated by the republics in coordination."

One more point: The role of the Council of the Federation in the Union structure is totally unclear. Is it an organ replacing the Presidential Council, or is it an organ that will formalize or elucidate the draft presidential decrees and decisions submitted to it? Or is it an organ that will decide questions of the country's life, while the Cabinet of Ministers implements these decisions? These questions must be not only clarified but also clearly formulated in the Constitution. Of course, the chairman of the USSR Supreme Soviet, still less the chairmen of the chambers of our legislature, must not be included in the Council of the Federation. We must not confuse legislative and executive power. That would be absurd. [passage omitted]

**A.N. Ilin,** *second secretary of the RSFSR Communist Party Central Committee (Ostrovskiy Territorial Electoral District, Pskov Oblast):* Esteemed people's deputies! Our congress is agonizingly seeking decisions that would vindicate voters' hopes. We are all proceeding here from the premise that the political and economic tension in

our country has reached a critical level, and unless the necessary measures to impose order, normalize interethnic relations, and restore social harmony are taken today, the demise of our socioeconomic system is inevitable.

The process of the renewal of society has proved to be more complex. Fellow travelers have joined many positive components of this process: anarchy and disorganization of management have joined democracy; the policy of a rule-of-law state in a number of regions has degenerated into its direct opposite—deprivation of rights and massive outrages against the individual and his dignity. What will happen next, if accusers of the CPSU are prepared to speak even from this platform? But in my view they are poorly aware of whom they are aping, who issued the first call to get rid of the "Communist plague," who organized trials of Communists, and what the result of this was.

It is impossible not to notice how the growth of ethnic consciousness is being blocked by ethnic strife, which is ultimately leading to a split in the Union. Our duty, our sacred obligation is not only to make an objective analysis of today's situation but also to determine solutions, while taking into account both positive experience and errors. First of all we should answer the question: Why are political and economic reforms losing their dynamism and point? You have to be naive here to propose simple solutions. For instance, people say: We need only settle the argument over which program is better—the government program or "500 days"—and everything will be fine.

No, dear comrades. Those who are conducting the debate and those who are listening to it clearly must realize that if there is a "war" of laws and sovereignties, if even the USSR Constitution—the fundamental law—does not operate, the result is obvious. If legal reform lags behind like this any government or other program to switch to the market is bound to fail.

We are continuing pitilessly—but now more out of inertia—to condemn the administrative command system and somehow we are failing to notice that today the country is suffering not so much from this system as from the products of its decay: a power vacuum, anarchy, and regional egoism. Judging by the speeches, more and more USSR people's deputies realize the meaning of dialectical unity in the development of democracy and the enhancement of responsibility. In my view, the Fourth Congress of People's Deputies should take a serious step in elaborating legal preconditions for the further development of political and economic reforms.

While supporting in principle the need to strengthen executive power, the RSFSR Communist Party Central Committee realizes that it can produce results only given the preservation of the USSR. The CPSU Central Committee December Plenum spoke out unequivocally on this issue. Otherwise any amendments to the Constitution become totally meaningless. I would like to state that the RSFSR Communist Party also firmly supports the need to conclude the Union treaty as swiftly as possible. This position received unanimous support at the Central Committee November Plenum. The need to conclude the treaty was also actively supported by people's deputies at the extraordinary Congress of RSFSR People's Deputies.

What guides us in upholding our view? Above all the interests of Soviet people, including Russians, of course. According to the Academy of Social Sciences Sociological Research Center, 73 percent of the population is in favor of preserving our Union. What lies behind this figure is the people's wisdom, which the euphoria of sovereignties has been unable to shake, the age-old experience of living together accumulated by dozens of large and small peoples, and the common sorrow of losses and joy of victories on our historical path.

At the same time, as the discussion at the congress has shown, the draft is not without its shortcomings, and it will clearly take time to carry out further work on it and coordinate it. In order to stabilize the situation, during this period there is a need for resolute steps to counter centrifugal destructive forces. The temporary agreement on economic questions between the republics mentioned in the president's report must be a stabilizing factor in this situation, in our view.

All-national interests also dictate the need, pending conclusion of the Union treaty, to suspend the operation of republican laws running counter to the USSR Constitution. I support the view that a new constitution should simultaneously be elaborated.

There is another fundamental issue. We Communists are by no means indifferent to the strengthening of central power from the viewpoint of the socialist nature of the projected transformations. In this connection I regard it as my duty to express comments about the draft of the new RSFSR Constitution. This document regards unification within the Union as only one possible option.

It is also important to note that, in bringing to the fore private capitalist ownership, curtailing citizens' socioeconomic rights, and establishing totalitarian power, the authors of the draft are attempting to change the very nature of the RSFSR as a socialist state. For this reason the group of Communist RSFSR people's deputies elaborated an alternative version of the RSFSR Constitution. And we are hoping for Russians' support.

At the same time I want to state that the Russian Communist Party will piously cherish friendship

among the peoples. And let us, so to speak, extinguish certain passions and together seek the difficult solutions that can restore our country to the ranks of powerful countries.

**Chairman:** Deputy Strukov has the floor.

**N.A. Strukov,** *deputy chairman of the USSR Supreme Soviet Committee for Questions of Law and Order and the Fight Against Crime (Kurskiy Territorial Electoral District, Kursk Oblast):* Colleagues! As stewards, we are allotted a measure of responsibility by the people and the time. God forbid that just interviews, ambitions, dreams, intrigues, absurdities, and chaos and disarray are left after us. Yes, the congress and the legislature, because of their taste for rhetoric and continuing reluctance to take power together, have in many respects renounced their powers in favor of the president. Linked together by the same "umbilical cord," we got stuck in the swamp together. But a number of republics decided to clamber out of the swamp on their own and then to disperse into their own corners. The result of this path is a foregone conclusion, I think.

The congress and the Supreme Soviet are still incapable of getting out of their impasse. The peak of their energy is enough for listening to reports and creating commissions. Once we have listened, we part, hanging our heads, and we wait for effectiveness and proposals from others. We seek elsewhere explanations for the disorders and chaos. We are afraid of a cult, of a "junta," and we want to regain lost rights in order then to wax eloquent once again, not to give the executants a chance, and to wait for structures to "mature." But outside the walls of this auditorium is real life, not theater. Out there cold and shortages are breeding evil, hatred, and so forth. It was easy for the healthy and strong working person in 1985 to become involved in at that time empty debates about privileges, triple sovereignties, and the division of earth, heavens, and sun.... Back then, so to speak, he was well fed... and there was tobacco aplenty. All the same, many people were involved in rallies. But now arguments are being resolved not by shafts [oglobli] but by guns. This must be borne in mind.

I would say that now there is something for everyone to do. In extreme situations everyone is tested, so to speak, for "infestation with lice." Populists are putting forward concepts and programs. I think they are not only not 500-day programs, but are not even one-day programs. A number of deputies are suddenly scaring the audience with their own opinions and rumors and are casting unfounded aspersions on Gorbachev, Lukyanov, the Interregional Deputies Group, and each other. But in the last one and one-half years, with such versions, together we could have analyzed, reported the facts, voted, and activated a mechanism against a "junta."

Now everyone is interpreting basic science and concepts in their own way. Their interpretation is that "the foundation slipped" in people's minds, and then in the economy. Just consider what is being spoken of: creating a constitution without a state and replacing the Constitution with a Union treaty.

Lenin is great, and even the tallest among us will never be his equal. So let me recall his demand regarding managers and stewards. First of all he spoke of scientific analysis on the basis of full, reliable information, not of a parody of analysis in the interests of groups of individuals, and of effective scientific forecasting of consequences and of their price.

At long last we have heard the president say that he is ripe for resolute measures. He named those measures. If you do not agree, submit proposals and carry out additional work! But there is a need for constructiveness. And we must be consistent in everything. What has emerged is what the president, scientists, and his "team" brought to the congress.

Of course, it has to be taken into account that the Constitution is not a bag that can accommodate the vast whole of life. Scientists did not completely perform their function and did not give a "linchpin" to the four congresses and the president. This is why there is so much disorder in opinions. How much easier it would have been if we had had firmness in these programs and concepts!

Now a few words about the reasons for this. Why are the socialist Constitution, the laws, and the president's decrees not being implemented? Unless we reinforce executive power, things will be even worse. On the other hand some laws are working efficiently. Remember, the CPSU said: "Go"—and its most amorphous section left without fighting for the people's interests. To succeed the CPSU many people at once united in a destructive command system—leaders of the administrative command CPSU of hypocrites, the young mass media, experienced at sensations, the "nationals," the "regionals," "democrats" of every stripe, and fat cats, including people among us.

Since 1985 this "team" has been creating a market "in its own image." Flinging wide the gates, it is in a hurry to ruin the Union before the referendum. They have different goals and programs. In particular, for peanuts or for nothing they are freely and irresponsibly expending and destroying inside and outside the country its incalculable human and natural wealth, causing poverty and unemployment, without the participation of the producer and owner. The latter, patient, is once again out of a job, but it is on his behalf that life is being reformed, and it is this that is our tremendous misfortune.

Ten million drones under the guise of the cooperative movement, commissions, blanket privatization, and so forth are diverting billions at a stroke from depots into their own pockets, and working people are left with nothing on the shelves, high prices, drudgery, and illusory incalculable wealth as a result of the shareout of ownership in addition to poverty. Economic freedom of movement for the citizen's capital and goods and services are being replaced by the "dead" concept of private ownership. Our "wild" entrepreneurs, "cream-skimmers," and speculators are creating a frenzied and totally incomprehensible market without goods under a decaying economy, a market which makes experts both here and abroad goggle.

So the main task is defined as the fight against crime. I think that the state's might is still more than enough and the gangrene of profit and self-interest which the "team" has used to replace collectivism and other human values has not yet "guzzled" everything. All these people have suddenly become investigators, judges, and economists. Rallies and emotions are being used to make law and order. I think it is time for the president and the executive to put a stop to this discrediting, to put an end to this.

In accordance with the president's program and guidelines we must now designate the place, role, and tasks of every organ from bottom to top on the basis of its functions. At every level its ultimate goal and freedom of action must be designated. We here have now done a great deal of work and I think that everyone has sufficient legitimate measures to implement the specified ultimate goals. But there is a need for personal responsibility here, there is a need for cadres to be trained, and there is much to be done. I emphasize that we are not observing the elementary set of demands regarding management, we are not ensuring interaction, dynamism, effectiveness, and harmony linking relations in space and time. So we have not settled on the main values.

One last point. Deputy Travkin likened the people to a herd here. But if that is the kind of thing we are going to say about our people, it should be remembered that they are a herd 300 million strong. If they "break" they will trample themselves, the mafia, the herdsmen, and their neighbors. Academician Sakharov was right: Our people are the product of a totalitarian regime and for a while were its main prop, but no matter how hard you try to make the Soviet people "Ivans who do not remember their ancestry," ignorant cattle, and occupiers, they remember everything and their genius and strength will find the correct application. On just one condition—that a normal market is built in the USSR under sovereignty of the individual and that there is a normal life. (Applause) [passage omitted]

**G.I. Tikhonov,** *chief of the USSR Council of Ministers Bureau for the Fuel and Energy Complex Capital Construction and Reconstruction Department (Rogunskiy National-Territorial Electoral District, Tajik SSR):* Esteemed people's deputies, esteemed president! Esteemed Deputy Kazannik claimed today that our Constitution is obsolete and R.I. Khasbulatov (I'm not sure, I probably should say "Citizen Khasbulatov") believes that we do not need a constitution at all and it should be replaced by another document. In this case I guessed who in our auditorium is the evil genius. After all, the abolition of the Constitution is a real coup, but we all want to live in a rule-of-law state.

The amendment of the articles of the Constitution is leading to the strengthening of presidential power. But, for this to be understood not only as an increase in the president's personal power, I think that it is necessary to considerably expand the functions of the vice president in Article 127(5). Before the election of the vice president the congress—I stress, the Congress of People's Deputies—must define and approve his functions, rights, and duties. The basis of the vice president's activity must be ensuring order in the country and ensuring the operation of laws. For this the vice president must collaborate efficiently with official information organs of the MVD [Ministry of Internal Affairs], KGB, and so forth.

The Constitution, or, to be more accurate, the law on the cabinet of ministers that is to be adopted this year, must clearly designate the functions of the cabinet of ministers, the power structure, and the list of Union and Union republican ministries defining the relations between the center and the republics, and clearly define management institutions guaranteeing the formation of a socially oriented market economy. All this must be adopted without waiting for the Union treaty to be signed, otherwise we may be without any executive power for an indefinite period.

The new cabinet of ministers is needed immediately. It must be "handy" for the president, who will not only run it but also protect it from rally-type democracy and, strange though it may seem, even from the legislature. In the last few years specialists have been better mustered in the Council of Ministers apparatus, but their attempts to "patch up" the economy will be fruitless until we realize that it is time to stop sniping at the staffs, specially at our own staffs, and that they should be given a clear program for the offensive.

To avoid destroying the organizational potential of the existing organs of state management (and that potential is still very great in view of the information base, existing links, and the professional standard of the cadres), it is important to create conditions in which the personnel of ministries and other structures which are shortly to be abolished or reorganized know the aim of the organizational transformations. After all, now the

most skilled specialists and scientists working in this sphere are to a large extent neutralized by the existing situation and the uncertainty of their position in the future. These creative personnel must see clear and fair mechanisms for using their experience and abilities in the new structures. Then the most skilled section of apparatus officials will be transformed from passive observers of change into allies and active participants in the transformations.

People in the staffs are aware that it is time to "reanimate" the state economy. But the cautious attempts to approach the "patient" are stopped right at the outset by rally-type democracy and legislature. You may remember how we behaved at Supreme Soviet sittings over the last year. In the first days of its existence the Council of Ministers should have begun with a price reform, implemented a declaration of income, and created a financial inspectorate. But it was not able to do so—it was not allowed to do so. And belated implementation of a reform would necessarily have led to the fall of the Council of Ministers. Thereafter there is a psychological barrier. And few people are capable of self-sacrifice.

The first step of the new cabinet of ministers must be economic reforms, but reforms under the protection of the president, as has been done after dislocation and war in all countries. By carrying out a price reform (this "reanimation" of the economy), we will establish new initial conditions for creating a new socially oriented market economy in our country. We must carry out a price reform, not a currency reform, though admittedly we may come to that later. We should not touch our so-called "wooden" ruble. In the opinion of foreign businessmen, even now it is the most expensive currency and embodies greater value than even the U.S. dollar. Working people in the USSR get 200-250 rubles for a whole month's work—that is the price of the ruble. You can purchase five times as much bread and twice as much gasoline per ruble. This is why Western businessmen are trying to buy up our so-called "wooden" rubles and, judging by Comrade Kryuchkov's report, they are doing this very very successfully.

A couple of words about the Council of the Federation. Article 127(4) states: "The Council of the Federation... coordinates the activity of the supreme organs of state power...." Comrades, I understand that in this case it also coordinates the actions of the Supreme Soviet. Clearly, there should be an amendment to this article of the Constitution.

We have gone even further in the Union treaty. Article 14 of it says that the rights of the Council of the Federation are still further increased. In effect it states that the Council of the Federation coordinates all the work of the supreme organs of power. If even in five years' time the congress ceases to exist, then (according to these amendments) I see nothing higher than the Council of the Federation. So I regard it as essential to change these amendments (and I ask the congress to support me).

Esteemed people's deputies! I call on you to adopt the constitutional amendments without delay and, without parting for the vacation, to adopt a law on the cabinet of ministers which clearly dots all the "i's."

**Chairman:** Deputy Saunin has the floor. Deputy Yarovoy should get ready.

**A.N. Saunin,** *deputy chairman of the Soviet of the Union Plan, Budget, and Finance Commission (Makeyevskiy Territorial Electoral District, Donetsk Oblast):* Esteemed congress, esteemed president! I wish to dwell on two questions in my speech. First, to express my attitude to the proposed amendments to the USSR Constitution in connection with improving the system of state administration. Second, to express some specific remarks on the proposed amendments.

During the discussion of this question both at the Supreme Soviet session and from this rostrum as well concern has been voiced about the proposed measures and doubts have been expressed about their advisability and effectiveness. I also have certain doubts. But I cannot disagree with the president's words that it is difficult to understand those who are today calling these proposals into question and speaking out against them when only recently they were demanding radical changes in restructuring the administrative system. I was among those who were arguing the need for such a restructuring at the Supreme Soviet session back in the spring. The growth of crisis phenomena in the economy, which have today reached "boiling point," convinces me even more of the need for these radical changes. Whereas to remain in the current situation of amorphous and impotent power structures would mean to plunge the country into economic and political chaos in the very near future. When the house is on fire the inhabitants and fire fighters are not going to argue about finding the optimal and most effective way of putting out the flames.

I see one of the reasons for the situation that has developed in the country as being the chronic tardiness (on the leadership's part) in adopting certain measures in both the economy and politics. The Russian proverb about "doing nothing until the storm breaks" is true here, unfortunately. After all, the present economic and political storm clouds did not appear suddenly out of nowhere. The economic barometer was starting to fall menacingly exactly a year ago, as many delegates noted from the rostrum of the second congress.

Our president repeatedly stresses his certainty that the chosen strategy of perestroyka was correct. I have no doubts, either. But a correctly chosen strategy is only part of a policy, only half the matter. Its second, equally important part is tactics, which must be based on

in-depth, comprehensive analysis of objective reality and the possible consequences of adopted decisions and on rapid reactions to changing conditions. You will say that this is axiomatic, a truism. But I have to mention it because this is precisely what the present administrative system lacks. And I mention it in connection with the elimination of the Presidential Council.

I am not opposed to this decision. On the contrary, I fully support it, because I, like many other deputies who have already spoken from this rostrum today, found it difficult, to put it mildly, to understand that body's place and role in the state administrative structure. But I am profoundly convinced, Esteemed Mikhail Sergeyevich, that the president needs a real council consisting of highly qualified people, not "tokens." And it is absolutely essential that the Constitution should not mention this council or that any function or role should be defined for it in the power structure apart from one—to be the intellectual foundation of the policy of perestroyka.

Now a few words about the alteration of the Council of the Federation's role. I believe that the realization of the interests of both the components of the federation and the Union as a whole must be promoted by giving it the new functions listed in the draft amendments to the Constitution.

At the same time I consider it essential for some additions to be made to Article 127(4). It states that the Council of the Federation, on the basis of USSR domestic and foreign policy guidelines determined by the Congress of USSR People's Deputies, coordinates the activity of the supreme organs of state power and administration of the Union and the republics.

I propose that the words "or by the USSR Supreme Soviet" be added after the words "by the Congress of People's Deputies." The point is that the basic guidelines of domestic and foreign policy are determined not only by the Congress but also by the country's Supreme Soviet. This same article, in paragraphs 4 and 5, goes on to talk about the functions of Council of the Federation members, particularly the fact that a Council of the Federation member ensures the implementation of Council of the Federation decisions in the corresponding republic. It seems to me that here it is expedient to include in Council of the Federation members' obligations not only the implementation of Council of the Federation decisions but also the implementation of Congress of USSR People's Deputies and USSR Supreme Soviet decisions and the implementation of laws adopted by them. So that laws, decisions, and resolutions will operate and be implemented not in some abstract, ethereal Union space but in each republic.

The next question relates to Article 113 Point 18, which states that the Supreme Soviet will examine protests by Union republics' supreme organs of state power against enactments by the USSR president and the USSR Cabinet of ministers. First, I believe that the Supreme Soviet must not be given inappropriate functions. This section should probably be excluded altogether, especially since in practice we do not even have the actual mechanism—a constitutional mechanism—for this. How, in what way, can the Supreme Soviet react to decrees issued by the president? In his report A.I. Lukyanov admitted that this is not totally in accordance with the principles of a rule-of-law state. I believe they we should not have such a norm in conditions of the separation of powers and the creation of a rule-of-law state.

As I do not have the opportunity to dwell on other amendments, I would like, esteemed colleagues, to reemphasize the main theme of my speech. For all our doubts, the adoption of the present law on amendments to the Constitution is essentially designed to destroy one the last bastions of the administrative command system of administration. We can argue until we are hoarse, of course, and search for ideal models of some kind, for theoretical constructs which, in the view of their originators, would immediately resolve all our problems, only we don't have the time. It is only in a fairy tale that Cinderella turns straight into a princess, although even she has to overcome certain difficulties and take certain steps.

Our biggest mistake would be to continue to mark time, which is essentially what we have been doing for the last year. I urge the esteemed congress to take a concrete step and adopt the proposed amendments to the Constitution.

**Chairman:** Deputy Yarovoy has the floor. Comrade Ochirov should get ready.

**V.I. Yarovoy,** *director of the V.I. Lenin "Dvigatel" Zavod State Union Production Association, Tallinn, (Tallinskiy-Lasnamyaeskiy National-Territorial Electoral District, Estonian SSR):* Esteemed comrade deputies, esteemed presidium! In the course of the six days that our congress has been at work I have had to amend my speech many times because the agenda has kept changing and the situation at our congress has kept changing. The result is that my much-altered speech is obviously no longer topical today, and so I am going to talk about the hopes which we in our republic have and the problems without whose solution it is probably pointless to talk about a new constitution or a new Union treaty since they would be stillborn in the country.

I cannot understand why the first and second questions, which are the main tricky problems at this congress, featured only in the speech by Estonian Republic Supreme Soviet Chairman Mr. Ruutel, who talked about Estonia's secession from—or rather its nonentry into—the Union and its refusal to examine or sign the Union treaty. I do not understand why his was the one and only

speech, having the last word, as it were—as if this was the only opinion existing in the republic. Yet there are deputies in this deputies group (five of them) who express the view of hundreds of thousands of working people living on Estonian territory. Theirs is a totally different view, and we believe that the last word in the republic will be spoken by the people. They will decide whether we will or will not be in the Union. I am not going to talk about the situation in the republic in detail in order not to waste time, but I will read you a telegram, one of many:

"We urgently demand that it be brought to congress delegates' notice that the nationalist government of Estonia, violating the Constitution, USSR laws, and presidential decrees, is preparing to violently seize power, forming nationalist armed forces and police units, unlawfully establishing borders, and introducing customs barriers and restrictions, disregarding international and Union enactments on human rights. The rights of the nonindigenous population are being infringed, residence and language qualifications are being introduced, and political and economic rights are being restricted. It overtly opposes Soviet state power, the Soviet Army, the militia, and servicemen's families, is blowing up monuments to dead servicemen, and is sharply raising prices for prime necessities, thus reducing working people's living standards. It is openly urging civil disobedience against the Union authorities. To maintain peace, civil calm, and the integrity of the state we demand that the Fourth Congress immediately adopt all immediate emergency measures to impose legal order, up to and including the dissolution of the republic's rigged soviets and the introduction of presidential rule. There can be no further delay. Tomorrow will be too late. We demand the immediate disbandment of all nationalist troop formations. The socialist fatherland and its unity are in danger! We resolutely support the conclusion of the Union treaty."

This telegram is signed by the workers of one of our enterprises. There are numerous such telegrams, some of them with up to 360 signatures. This confirms that we must be involved in signing the Union treaty.

The next point. Mr. Boyars from Latvia spoke here. Several times he solemnly asserted from this rostrum: Lies, lies, lies! Indeed it is not stated openly that we should leave these Baltic republics. But everything is being done to ensure that unacceptable conditions for us to live there are created. Let me cite just two examples.

First, on 15 December 1989 the Estonian SSR law on citizens' national rights was adopted. Only representatives of the Estonian nation—the indigenous nation of Estonia—are guaranteed national rights as citizens of the Estonian SSR on their own ethnic territory and self-determination.

Example number two: Recently, a few days ago, an Estonian Supreme Soviet session examined a draft law on the privatization of housing which incorporates a restrictive, 25-year residence qualification. Tell me, in what way is Mr. Ruutel better than me, who was born into the family of a former hired laborer who worked for a landowner in Vinnitsa Oblast in the Ukraine? Why do I get the right to buy housing only after 20 years? Maybe I will not live that long. I consider that this is a most blatant violation of the civil and political rights of those who live on the territory of the Estonian republic.

My next point: I believe that for any kind of stabilization of the socioeconomic and political situation in the country to begin there must be a radical change in the stance of esteemed B.N. Yeltsin. His speech, which I listened to, unequivocally convinced me that in in pursuing his policy he is courting constant popularity; he gives interviews, making the most blatant mistakes, which cannot be appropriate and should not be allowed in a leader of such rank.

The inhabitants of the Baltic region looked to the formation of the RSFSR Supreme Soviet with hope. We were hopefully expecting that here, in Russia, a body would appear which would be able to protect us—the brothers and sisters of the Slavs, mainly Russians, Ukrainians, and Belorussians, who live in the Baltic region. But the opposite happened. The actions we can see are aimed at confrontation and the satisfaction of some people's ambitions. This impacts on the futures of the USSR's peoples. But who gave anyone the right to dispose of the futures and lives of people living outside the RSFSR, in other union republics? I believe that Boris Nikolayevich would gain a great deal if he strove for the unity of the Union and took under his wing the interests of people living outside their own national entities in the Union republics. He would gain even more from that.

The last point on which I would like to dwell is the Union treaty. The situation is indeed serious. We are well aware that the Union treaty is needed, but how can we go on in the current situation? We have in our republic an Interregional Council of Deputies and an Estonian Citizens' Committee. They uphold the interests of hundreds of thousands of people of the nonindigenous nationality living in the republic. We consider that the Estonian Government is making a mistake in refusing to examine or sign the Union treaty. On behalf of the Interregional Council of Deputies and the Estonian Citizens Committee I appeal to the republic's leaders to revise their position one more time. The situation that has developed must not be taken to the extreme.

We urge them to examine the question of signing the treaty, involving representatives of the Interregional

Council of Deputies in this process. But if they nonetheless stick to their position, the Interregional Council of Deputies and the Estonian SSR Citizens Committee are prepared to participate in examining and signing the Union Treaty and upholding the interests of all citizens living on Estonian territory irrespective of their nationality.

My attitude toward the party: My father was born at the end of the last century. He worked for landowners as a hired laborer and as a child ran errands until he emigrated to Poland. One day my father showed me 11 blank party application forms. I asked him why he hadn't joined. He said: "I am not worthy to be in the party because I did not take an active part in the revolutionary processes prior to 1917 or in the establishment of Soviet power. But I am an old Bolshevik and trusted and support our party."

That is what people were like then. But where is our party today? I have been in the party for almost 30 years. In Estonia after a single year around 50,000 out of 100,000 Communists remained. If we Communist Party members continue to pursue the same policy in the future the time will come when all we have left is a party of "backyard Communists" which will retreat outside the law or cease to exist. I therefore urge all Communists: No more sitting in the trenches, let us defend our party's interests, the interests of our Soviet socialist reality! How long can we merely justify ourselves or remain silent? The attitude displayed here will determine whether there will be a Union, whether we will have a new federal society or it will fall apart, as many people have been saying here. (Applause)

**Chairman:** Deputy Ochirov has the floor. Deputy Aypin should get ready.

**V.N. Ochirov,** *deputy chairman of the USSR Supreme Soviet Defense and State Security Committee (Universitetskiy National-Territorial Electoral District, Kalmyk ASSR):* Esteemed congress, esteemed presidium, esteemed president! In my view, we should assess any aspect of our life from present-day positions, from the positions of the profound and grave crisis in which we find ourselves on the threshold of 1991, not from the positions of our intentions in 1985. For various reasons a great many of those intentions remained no more than fond wishes. Not in all respects were the objectives clearly defined or the actual conditions taken into account, and in many instances implementation was pitiful.

This also applies to questions of defense and state security. The aims of the reforms here are splendid. But now we are coming up against a situation where they could both be destroyed. Instead of reforms, it is possible that we—or more likely, someone else—will have to gather stones together and rebuild the edifice from scratch. Therefore the tasks of preserving the Armed Forces and state security organs come first, and the tasks of reforming them come second. These tasks must be tackled simultaneously, but the former takes priority.

I wish to speak first of all about the Armed Forces. There are a great many proposals on their reform. Our Union treaty will be a key document for the final shaping of the military reform. But whatever form this treaty takes, there must inevitably be a fundamentally new form of participation by all components of the federation in formulating military policy, in military building, in preparing young people for military service, and in providing vital support for the troops and naval forces located on their territory.

It is time we stopped simply criticizing, dear comrades, it is time all the components of the federation assumed responsibility for the formation of military policy and its practical implementation. It is important for us to be wise politicians. Military specialists will ensure the implementation of our decisions. Today everyone criticizes the Armed Forces for everything—for the prevalence of bullying, for being involved in affairs that are not properly their concern, for people getting killed. But no one assumes responsibility for preparing young people for military service in troops stationed in a republic, oblast, or kray. Just look at how certain interested forces engage in political speculation nowadays, exploiting mothers' feelings! They gathered the mothers together and, exploiting their grief, went to the USSR president and formed a commission.

I wish to say: People are naive! What form does this naivete take? I have some figures with me, I obtained them here, or rather from the information sheets. Last year records were kept of the number of murders in the country (22,500). Some 14,500 people died at work, 80 percent of them as a result of drunkenness. There were 19,700 deaths on the water, while 19,500 people died from accidental alcohol poisoning (apparently they somehow drank the wrong thing). Some 59,000 people were killed in transportation accidents, and more than 9,000 in fires.

During that same year, some 3,000 people died in the Army. But if you compare the number for every 100,000 people in the national economy and in the Armed Forces, there is a very big difference. In the country as a whole, there were 113 deaths per 100,000, while in the Armed Forces there were 85. The figures for suicide are respectively 21.5 and 20 people per 100,000, for poisoning—14.5 and four per 100,000, and for drowning—eight and 4.3 per 100,000.

These processes are interconnected in the country. As long as this barbarous loss of life, or, as they crudely call it in the trade, "natural wastage," continues in our country, you cannot expect miracles in the Armed Forces. Mothers' feelings should not be exploited. I do not mean that deaths are inevitable in the Army. We are

entitled to demand that no servicemen are lost. We curse departmentalism, but it has become part of our mentality, even when it comes to the defense of the country.

I wish to dwell particularly on the disarmament process.

First, we are carrying this out by administrative command methods, we have entrusted it to the departments, yet it is not their interests at stake, it is the whole people's interests. At the very least, these questions should be resolved under the special supervision of the USSR Supreme Soviet, not by ministers at one-on-one meetings.

Second, disarmament maximalism is, in my view, highly dangerous. It could provoke an upsurge of the military strength policy. Our country bears a very great responsibility for military-political stability in Eurasia. Instability within the country is dangerous not only for us, but for the world community. We are under the special influence of the improvement in the world military-political situation, and all the people want this trend to deepen. But when we lose sight of common sense, we do not achieve the results we expected.

We should learn well from our partners, comrades, because what they take note of is not people's declared intentions, but the actual correlation of forces. We all want to be "doves of peace." That is splendid. But we should not forget the "hawks," high-flying or otherwise. I wish to stress that it is we who are responsible for the social atmosphere that develops around the USSR Armed Forces and state security: Will it be thoughtful, businesslike, and constructive, or irresponsible? Today, as well as thinking about how to feed the people, we must think about how to ensure their security not only in this century, but in the 21st.

Our state, formed over the centuries, developed not only and not chiefly on the basis of conquest and subjugation, but mainly on the basis of the entry of many peoples into Russia, and then into the USSR, with the aim of preserving their own national sovereignty. Not everything ran smoothly in history, this has been spoken of here. The USSR president has said that answers cannot be found in the past But entry into Russia, and later the Union, was what saved dozens of nationalities in our country. We should not forget this fact, nor should we think that all the complex ups and downs of history are behind us; those who have adopted a position of separatist extremism should remember this above all.

We must first consider once more and conceptually resolve the problem of defense and security for the long term—in the light of the restructuring of the system of international relations and of those trends which will appear in the 21st century. We must take into account both the objective trend of the world community's movement toward a civilization free of violence and the trend of the creation of conditions and prerequisites which, if not countered, lead to the eruption of a policy based on military strength.

Second, it is necessary to adopt resolute and comprehensive measures to thwart in the country organized banditry, terrorism, and destructive processes toward the Armed Forces and security organs while simultaneously reforming them in accordance with the goals and spirit of perestroyka. We must not forget that we are entering the 21st century in a world community of peoples organized into states and that the weakening in our country of such vital institutions as the Armed Forces and security organs is fraught with grave consequences for the interests of all the peoples of our state.

I want to stress for those figures who are trying to unlawfully decide questions of the organization of the Union or departure from it that this must be done on the basis of the laws and the existing Constitution. On no account should they touch the Armed Forces or play with fire. The process of their disintegration is already underway. The Armed Forces have received the most powerful ideological and organizational blow and been subjected to discrimination. It does not take great intelligence to destroy things; there is nothing difficult about that. But if these two institutions collapse, (we must clearly grasp this simple truth) others will take their place. If that happens there really will be catastrophe. (Applause)

**Chairman:** Deputy Aypin has the floor. Deputy Chukhrayev get ready.

**Ye.D. Aypin,** *member of the USSR Supreme Soviet (Khanty-Mansiysk National-Territorial Electoral District, Khanty-Mansiysk Autonomous Okrug):* Esteemed comrade deputies, esteemed comrade president! In the amendments and additions to the USSR Constitution in connection with the improvement of the system of state administration presented for discussion by the Fourth Congress of USSR People's Deputies we see an intensification of presidential power by the expansion of the powers of the Council of the Federation and other new power structures. In this connection we must devise a system to counterbalance the increasing presidential power. In the actual situation which has now come about this can be done by expanding the powers of the USSR Supreme Soviet and the Soviet of Nationalities. These organs—the Supreme Soviet and the Soviet of Nationalities—must be given legislative power—the right to veto respectively decisions by the president and the Council of the Federation and indeed decisions by the USSR Cabinet of Ministers as well. We must support the young incipient democracy primarily by creating real democratic counterweights which preclude the monopolization of the new power structures.

The proposed version of amendments and additions to the Basic Law substantially infringes the rights of the

peoples of the autonomous republics and autonomous oblasts and okrugs. Part one of Article 127(4) of the existing USSR Constution envisages the following norm: "The supreme state officials of the autonomous republics, autonomous oblasts, and autonomous okrugs are entitled to take part in the sittings of the Council of the Federation." This norm is absent from the new version. Apart from the USSR president and the USSR vice president the Council of the Federation includes the supreme state officials of the Union republics alone. Consequently, everything in the Council of the Federation is decided by the 15 Union republics alone.

Can the autonomous formations of the Union accept such a situation? Of course not. Therefore we propose (and this is the collective decision of of the deputies' group of the autonmous formations who met yesterday) that part one of Article 127(4) be adopted as follows: "The USSR president heads the Council of the Federation, which includes the USSR vice president and the presidents and supreme officials of the republics and autonomous formations."

In this connection, we propose a number of amendments to other articles of the Constitution, too.

Point 18 of Article 113 should read as follows: "...has the right to revoke resolutions and ordinances of the USSR Cabinet of Ministers; examines protests by the supreme organs of state power of the republics and autonmous formations against enactments by the USSR president and USSR Cabinet of Ministers if they, in the republic's opinion, violate its rights or the Constitution or laws of the USSR...." and thereafter according to the text.

Point 9 of Article 127(3) should read as follows: "...is entitled to revoke resolutions and ordinances of the USSR Cabinet of Ministers, and enactments of USSR ministries and other organs subordinate to it; has the right on questions under USSR jurisdiction to suspend the execution of resolutions or ordinances of republics' Councils of Ministers in instances where they violate the USSR Constitution and USSR Laws."

Part four of Article 127(4) should read as follows: "A member of the Council of the Federation—the supreme state official of a republic or autonomous formation and representing and defending its sovereignty and legitimate interests—takes part in the solution of all questions submitted for the Council of the Federation's examination.

We propose that Part 8 of the same article read as follows: "Materials for examination by the Council of the Federation shall be prepared by standing commissions consisting of representatives of all the republics and autonomous formations."

Part 2 of Article 29 should read as follows: "The heads of governments of the republics and autonomous formations shall be ex-officio members of the USSR Cabinet of Ministers."

Article 135 should read as follows: "The USSR Cabinet of Ministers unites and directs the work of USSR ministries and other organs subordinated to it. For the coordinated solution of questions of state administration collegiums which will include as ex-officio members leaders of the corresponding organs of republics and autonomous formations shall be created in ministries and other central organs of state administration of the USSR."

Our deputies' group is well aware that the fate of the autonomous formations is being settled today. Will they occupy the corresponding place in the new power structures or not? Their attitude toward the constitutional amendments depends on that, too, of course.

The next proposal: The proposed version of the basic law undermines the significance of the USSR Supreme Soviet and also excludes the participation of the chairmen of the Soviet of Nationalities and Soviet of the Union in the work of the Council of the Federation. The present Constitution, however, stipulates their right to participate in sittings of the Council of the Federation. On that basis, I propose that Part 7 of Article 127(4) read as follows: "The chairman of the USSR Supreme Soviet and the chairmen of the USSR Supreme Soviet Soviet of Nationalities and Soviet of the Union are entitled to participate in sittings of the Council of the Federation."

I would note that there may be a discrepancy between the Union treaty and the USSR Constitution. Article 12 of the draft Union treaty envisages that the USSR president is elected by USSR citizens only by a majority of votes across the Union as a whole and in the majority of republics. It is obvious that to ensure greater stability for the position of the USSR president another norm should be included in the section of the USSR Constitution that is being examined today, namely that the final part of Article 127(1) should read as follows: "A candidate shall be deemed elected if he has received more than one-half of the votes of the electors who took part in the ballot across the Union as a whole and in at least two-thirds of the Union republics." [passage omitted]

**A.M. Chukhrayev,** *chief physician of the Kursk Oblast No 1 Teaching Hospital (Zheleznogorskiy Territorial Electoral District, Kursk Oblast):* Esteemed people's deputies! I think that I must mention another of the vast number of problems which beset our life and are being discussed here today. I am talking about the correlation between democracy, freedom, and anarchy. It is glaringly obvious that democracy cannot be based on a freedom which develops into anarchy, whose

abundant fruits, unfortunately, are currently being reaped by the ordinary people. You can extol general human values all you like, but, putting our noble intentions aside, the real interests of particular social groups are entering into conflict among themselves and creating economic, social, ethnic, national-state, and other contradictions. They are bound to be political and lead to conflict between social groups, movements, and parties. What I have said may seem to be a truism. However, political and practical questions are bound to arise today. What is democracy—the power of some social group? Who stands to gain from our legislative acts? Who supports them and really implements them? The legislator is obliged to answer such questions precisely.

We rightly talk at all levels about political and economic chaos, ideological disorder, a "war" of laws and a "parade of sovereignties." Why is this? The inactivity of the authorities is cited. That is true, but it is not the whole truth. The main problem is that by various means we completely destroyed the administrative command system and defamed all functionaries en masse without noticing that we had thoroughly undermined our state system and the legal bases of our social organism and broken its back (I say that as a doctor) and now we are expressing our indignation at the paralysis of power!

There is no time today to work out who is to blame and to what extent. But why does even the USSR Supreme Soviet issue at times half-baked and ill-considered acts and then immediately rush to correct them, fostering legal nihilism and a disrespect for itself, Soviet power, and the laws? This model, by no means the best, is unfortunately being imitated by the republics' parliaments.

Perhaps I am being unduly blunt, but there are quite a few examples of this. Look at the amazing ease with which the Constitution is being crammed with hastily prepared acts. So much so that we effectively have no constitution now. So the result is that, having spurred a vast and heterogeneous state to rear up like a spooked horse, we have let go of the reins and rushed off to look for another harness—any moment now we will all be stampeding off in all directions.

In the old days they used to rightly say: "The laws are sacred, but their executors are the very devil." I think both these things are true now. Here we go, "correcting" the Constitution again: squeezing in the institution of presidential power. Yet we can see that it is not all working out smoothly. We have removed Article 149 of the Constitution, yet we only wrote it recently, the ink is not yet dry. Some elements of the local organs of power should also be abolished now.

But tell me, what form will the interaction take in practice between the institutions of presidential rule and the soviets, which are entities of a different nature—that is, between the centralized administration and the people's self-government organs? The executive power must be strengthened. It is also true that authoritarian power does not necessarily mean a return to dictatorship, to the cult regime, as people have insisted in some speeches here.

It is more a question of the personalization of responsibility in the government of the country from top to bottom. We welcome that intention. Only these presidential rights must be seen in that light, and no other. Let us stress clearly and unequivocally that as of today the president will draw on the old system of local and republican soviets of people's deputies. Probably not everything here is logical. The proposals contain a great deal that is unclear with regard to the USSR Supreme Soviet, its relationship with the Council of the Federation, and their functions. I propose that we approve the proposal on the top structure of presidential power and make it legitimate and thereby effective.

Another thing: No amendments at all should be made to the USSR Constitution, because there are a great many unclear points with regard to the mechanics of the new power. A working party must be set up without fail, which would formulate in detail the legal institution, the institution of power, and clear a place for it in the basic law. Or better still, the institution of presidential power needs to be founded on a new Constitution.

A few words about the amendments. Once again new structures are being offered to us without their functions, powers, and mechanism for implementation being defined in legislation. Thus a Control Chamber is being introduced, and its organization and procedures are to be defined by a special law which does not exist yet. The same is true of the Higher State Inspectorate. What is the reason, for instance, for the introduction of the addition to Point 8 of Article 113, where the Presidium is entrusted with interpreting the laws? After all, we have a permanent organ—the USSR Supreme Soviet, with its committees and commissions.

Against the background of the widening of the rights and status of national-territorial formations, it seems unjustified to exclude representatives of autonomous republics, oblasts, and okrugs from participation in sessions of the Council of the Federation. This is nothing less than an infringement of their rights (Article 127 (4)).

Now about the Higher State Inspectorate. Are we not setting up too many control organs? There are a great many controllers, but not many results yet. We will appoint a USSR general prosecutor, so let him carry out supervision of the precise and uniform implementation of laws throughout the country's territory. Why are we

swelling the staffs? We have gotten bogged down in the formation of all kinds of structures? Is it not better to strengthen the organs of the prosecutor's office? If this inspectorate is headed by the vice president, will it not mean that the prosecutors lose priority in the system of control organs and become an appendage of the inspectorate?

In conclusion let me say that we have delayed too long in adopting a new USSR Constitution. Irreversible processes of republic lawmaking are under way in the country. The republics' adoption of constitutions contrary to the principles of the USSR Constitution (basic law) must be stopped and a final line must be drawn with a view to straightening out the relationship between the center and the republics on a new legal basis.

**Chairman:** Deputy Tsyplyayev has the floor. Deputy Yeraliyev, get ready.

**S.A. Tsyplyayev,** *scientific secretary of the S.I. Vavilov State Optical Institute, Leningrad City (From the All-Union Lenin Communist Youth League):* Esteemed chairman, esteemed deputies! I would like to begin my speech by bringing to mind the simple children's game of stone, scissors, and paper. The rules are elementary: The stone blunts the scissors, the scissors cut the paper, and the paper wraps itself around the stone. This is a really accurate model of the collaboration between the three powers—legislative, executive, and judicial—in the system of separation of powers. This fundamental principle has proved highly effective in world practice. It limits any attempt by any one of the powers to become too powerful, and ensures that clear-cut responsibility is borne by each one of the powers for the adoption and implementation of laws and the resolution of judicial disputes. I believe that a sensible organization of public life and state structures—rather than exhortations and declarations or abstract calls for order—would be capable of protecting society against a slide into chaos and against a slide into the other extreme—dictatorship. Esteemed deputies, the specific proposals for amendments and additions to the Constitution have been distributed among you, so let me dwell only on their basic and fundamental aspects.

First of all, one of the main conclusions stemming from an analysis carried out by the USSR Supreme Soviet and the Congress of USSR People's Deputies is the concept of the need for essential reform and strengthening of executive power. It is obvious that we will be unable to resolve this task by reforming just the top of the pyramid, since all the processes of execution in real life, work, and labor actually occur at its base.

Whereas, back in pre-perestroyka times, the ispolkom [executive committee] was the basic state organ and the soviet's work was organized around it, nowadays the situation at local level has reached the other extreme. Soviets are trying to exercise day-by-day leadership of ispolkoms. Matters have even reached the point where the latter are completely abolished. This approach is also doomed to failure, since a soviet cannot actually cope with questions concerning the day-to-day organization of a city's or a rayon's vital activities. The collegial elaboration of decisions is, by nature, a slow process that is well geared toward the solution of strategic problems.

You have received just one set of proposals. There are two more sets—a maximum set and a compromise set, as it were—with the Drafting Commission. The essence of these sets boils down to giving republics an opportunity to clearly demarcate the powers of soviets and ispolkoms. A possibility to determine what structures are needed, and where: Are soviets needed everywhere, are ispolkoms needed everywhere? Giving republics an opportunity to decide for themselves how the executive organs should be shaped. It might make sense if individual republics were to use direct elections for ispolkom chairmen. I think that this is the package of questions we have to decide now. Otherwise it will be decided behind closed doors at local level, it will be decided by the republics, and we will once again be left to wonder why our decisions and our laws are not implemented.

Now about legislative power. First of all, here we have a certain mixture of proposals. It is proposed that the Supreme Soviet becomes the arbiter on questions of appeals against acts by the president and the Cabinet of Ministers. The point is that a conflict of interests will be unavoidable here, seeing that the Cabinet of Ministers is an organ accountable to the Supreme Soviet. This is obviously a matter for the judicial power, whereas now it is the prerogative of the USSR Constitutional Oversight Committee.

Another provision suggested for incorporation in the Constitution gives rise to very sharp objections. The makers of the FRG basic law, in an attempt to analyze the lamentable experience which led to the collapse of the Weimar Republic and brought about the subsequent tragic stage in the country's life, enshrined two fundamental principles: Strengthening of executive power and

exclusion of so-called plebiscite democracy with the use of representative democracy alone.

We are enshrining in our Constitution unclear and vague forms like citizens' assemblies and meetings, thus allowing direct clashes between citizens pursuing different interests. This can lead to nothing but a flare up [razogrevaniye] in society and instability.

Concluding my speech, I would like to cite (I do not think it would go amiss) a statement by former U.S. President R. Reagan, who was very fond of quoting our Russian proverbs and sayings. He used to say that a nation starts collapsing from within if it begins asking its government to provide that which it can provide for itself. If we were to constantly try and solve here, at the top, the question of how to feed the people and what to do for them—this will never succeed. Our only chance is to give both political and economic freedom to each and every citizen, and either help or intervene to ensure that the people provide for themselves.

As for our own legislative efforts and the latest attempts to address all questions to the president, I would like to rephrase the aforementioned statement as follows: A legislature starts collapsing from within if it begins asking the president to do that which it can do for itself. [passage omitted]

**S.A. Stezhko,** *chairman of Dnepropetrovsk Oblast Soviet of People's Deputies Ispolkom (Verkhnedneprovskiy Territorial Electoral District, Dnepropetrovsk Oblast):* [Passage omitted] Today it is necessary to really separate the legislative, executive, and judicial powers, and to incorporate in the USSR Constitution an article establishing the need and procedure for using direct elections by the entire population to elect leaders of executive power at all levels, beginning from the president and ending with the heads of executive power at city and rayon level. Furthermore, a newly elected individual must be confirmed either by a presidential decree or a decree by the head of superior executive power, and must have the right to suspend decisions by soviets if they have been adopted in breach of the USSR Constitution. Given such a state of affairs, there will be no breach of the democratic principles for election of leaders of executive power and, the way I see it, the most effective levers for implementation of presidential decrees will be created.

At the same time, it is necessary to introduce in the USSR Constitution additions laying down the procedures for releasing leaders of executive power at all levels from office. I believe that the most correct path here would be that the country's president or leaders of executive power at local level should be released via a universal ballot of the population in a given territory following proposal by the leader of superior executive power. On the one hand, this will reflect the general opinion in a given territory while, on the other hand, it will make the leaders of executive power as individuals independent of the legislators. All leaders of executive power, including the country's president, will be confident that they are protected from the influence of individual deputies or small groupings, that they will have a single mediator in the law and a single judge in the people's universal opinion. This will boost the leader's confidence and will relieve him of the fear that he might be released from office at any moment by people pressing the "yes" or "no" buttons. I believe that it is simply impossible to adopt amendments to the USSR Constitution without reflecting these issues in it, because otherwise the amendments will be inoperative while presidential power will remain, like before, ineffective.

I submit the following proposal: That the commission be instructed to do additional work on the draft amendments to the USSR Constitution and submit them for a vote before the current congress ends.

I would like to voice my own opinion and the opinion of numerous voters regarding the USSR's destiny. The entire constructive activity of our state's leaders, ever since the age of the Kiev Rus, has been aimed at creating a strong multiethnic power. This has been successfully achieved to a certain extent. But today the newly emerged national leaders are prepared—for the sake of satisfying their own political ambitions—to sacrifice the destiny of not only the USSR but also their own peoples, and this is being done at a time when European states are eliminating borders between them, introducing a single monetary unit, and jointly planning their development. Let me ask this: For whose benefit is everything being done? In order to break our state apart? My answer is: The only non-beneficiary would be the people who actively advocate a great and mighty Soviet Union. [passage omitted]

**Yu.K. Sharipov,** *chairman of the Soviet of Nationalities Commission for Questions of the Social and Economic Development of Union and Autonomous Republics and Autonomous Oblasts and Okrugs (Ufimskiy National-Territorial Electoral District, Bashkir ASSR):* Esteemed people's deputies, esteemed president! We perceive the proposed amendments and additions to the USSR Constitutional as pressing measures for the further improvement of the system of executive power. The ongoing dismantling of administrative command structures has

disrupted (both vertically and horizontally) the authoritarian administration ties which prevailed in years past. This has affected all links of state organization and has had an especially destructive effect on executive-administrative power.

I think that, on the whole, one can agree with the basic changes outlined in the submitted draft law. Specifically, with the expanded functions of the Council of the Federation, the introduction of the Cabinet of Ministers, the creation of the Security Council, and the institution of the office of vice president.

The strengthening of executive power via the establishment of the institution of presidency in our country makes us ponder the question of whether we have arrived at an effective balance making it possible to maintain all three categories of power—legislative, executive, and judicial—in equilibrium. After all, society needs reliable guarantees against authoritarianism. World experience testifies that an effective separation of powers is possible in conditions whereby a system of "checks and balances" is ensured between these three functions of power and the organs performing them.

I think that we have yet to create such a mechanism, which would effectively balance and ensure the mutual complementing of the functions of power. Therefore, there are still no lasting guarantees. Unfortunately, much still depends on the good or ill will of the top leader of the country or the republic.

The very idea of boosting presidential power and taking it to a qualitatively new level demands the creation of a mechanism which would enable all three powers to pursue one and the same goal—to establish a stable rule-of-law state and consolidate law and order.

It is obvious that the strengthening of executive power through the presidential structure presupposes the simultaneous creation of corresponding conditions for strengthening the legislative power, the really weakened judicial power and law enforcement system, and all their links. We are talking about reinterpreting and defining, in agreement with all republics, the position and role of constitutional and prosecutors' oversight so as to put an end to the "war" of laws and the lack of coordination between them, to place the entire state life on a firm rule-of-law foundation. This is precisely why I deem it very important to define the term "single all-Union legality." This will make it possible to put an end to the confrontation between laws so as to prevent the promulgation of Union or republic laws which clash with one another.

This year's experience has shown that without a smooth-running legal service comprising arbitration, attorneys, and legal advisers in all spheres of society's life and primarily in the national economy, it will be impossible to ensure stable economic ties between enterprises and the performance of contracts and agreements on output deliveries. And the transition to the market will turn into anarchy which recognizes no laws.

Appraising the proposed amendments and additions to the Constitution from the viewpoint of the principle of separation of powers, and especially the creation of "checks" and balances, one notices that this principle is not always upheld. There are other basic aspects to which I would like to draw the attention of participants in the Fourth Congress of USSR People's Deputies.

In my view, the proposed amendments to Paragraph 18 of Article 113 of the Constitution, which gives the USSR Supreme Soviet one month to adopt decisions on appeals by Union republics' supreme organs of state power against acts of the president and the Cabinet of Ministers, are unrealistic. We are enshrining in advance a constitutional norm which will be constantly broken. Furthermore, the legislative power—in other words the Supreme Soviet—is tasked with examining appeals by the republics against acts of the president. For all intents and purposes, the Supreme Soviet is assigned the role of arbiter. This renders incomprehensible the role of the USSR Constitutional Oversight Committee, let alone the Supreme Court. Thus, the borderline between legislative and judicial powers remains vague.

Now I would like to touch upon the ill-fated Article 127(4). It is impossible to agree with the proposed formulation of this article, seeing that it gives the Council of the Federation powers to coordinate the activity of the Congress of USSR People's Deputies and the USSR Supreme Soviet. First, the meaning and legal weight of the actual term "to coordinate" is incomprehensible, and second, regardless of this term's legal weight, it is in any case hardly appropriate for the Council of the Federation to intervene in any way in the exercise of powers by the Congress of People's Deputies or the USSR Supreme Soviet.

I therefore propose that Paragraph 2 of Article 127(4) reads as follows: "The Council of the Federation, proceeding from guidelines for the USSR's domestic and foreign policy laid down by the Congress of USSR People's Deputies and the USSR Supreme Soviet, collaborates with the supreme organs of power of the Union and the republics, effects coordination of the activity of supreme executive and administrative organs of state power of the Union and the republics, monitors compliance with the Union treaty...." and so on, as per text.

As regards the coordination of the activity of the supreme organs of state power of the Union (Congress of USSR People's Deputies and USSR Supreme Soviet) and the republics, it would be correct to vest these powers with the Congress of USSR People's Deputies. In such a case, the following paragraph could be added

to Article 108: "Coordination of the activity of supreme organs of state power of the USSR and the republics."

To continue. Under the current Constitution, the chairmen of the USSR Supreme Soviet's chambers and the top state officials of autonomous republics and of autonomous oblasts and okrugs have the right to take part in sittings of the Council of the Federation. We deem it necessary that they should retain this right.

In this context, I propose that the penultimate part of Article 127(4) be made to read as follows: "The chairman of the USSR Supreme Soviet, the chairmen of the chambers, and top state officials from autonomous republics and autonomous oblasts and okrugs take part in sittings of the Council of the Federation with the right to vote."

It is necessary to delete from Article 132 that part of powers which, in compliance with the current Constitution, is vested with the USSR Supreme Soviet. This specifically concerns the point that the cabinet of ministers is given the right to set up individual funds (development funds and funds for eliminating the consequences of natural calamities and disasters) in addition to the budget. The government is thus assigned the functions of creating sources of financial resources and spending them, in addition to the state budget. In our view, all financial operations concerning both the collection of funds and their expenditure, including the financing of programs, should be under the legislative power's control.

Pursuant upon the total amendment of Article 130, an important provision is being withdrawn from the Constitution, providing that the government submits for consideration by the USSR Supreme Soviet a program for its activity during its term of office. This constitutional provision must be retained.

A crisis of executive power is now noticeable at the level of local soviets of people's deputies. Ispolkoms are directly dependent on the soviets which appoint ispolkom chairmen and their members. Ispolkoms are not free to act even within the parameters of their own powers. Soviets interfere in trivial and insignificant functions of ispolkoms and their chairmen. Chairmen are constantly under threat of being dismissed from office.

This crisis can be overcome if ispolkom chairmen are elected directly by the voters living in a given soviet's territory. I propose that the following norm be introduced after Paragraph 1 of Article 149 (as revised): "Chairmen of the executive committees of local soviets of people's deputies are directly elected by voters living in the corresponding soviet's territory."

There is much unclarity as regards the supreme state inspectorate, being instituted for the first time in our country, essentially to monitor the implementation of laws. It is not clear what the inspectorate's role will be in this process, or its mutual relations with other organs in this sphere, like prosecutor's offices, courts, or the Constitutional Oversight Committee.

Dear people's deputies! In our view, taking into account the remarks and proposals which have been made and which are shared by members of many Supreme Soviet committees and commissions, it would be possible to support the draft Law on Amendments and Additions to the Constitution. As a result, by introducing a strong presidential power which I have always consistently advocated, it is necessary to also enhance the role of the USSR Supreme Soviet—the main legislative organ of our vast country which today unites all the republics, autonomous formations, and political streams. This will create a reliable balance. [passage omitted]

**Twelfth Sitting**

Kremlin Palace of Congresses, 22 December 1990, 1600.

D. Khudonazarov, chairman of the USSR Cinematographers Union, is in the chair. [passage omitted]

**S.N. Zvonov,** *director of the Ivanovo No 2 Passenger Motor Transport Enterprise (From the All-Union Lenin Communist Youth League):* I registered with the group of young deputies. Why have I come out here? Because our viewpoint differs fundamentally from the one expressed here.

We believe that this draft law must be examined not only from the juridical viewpoint but mainly, probably, from the political viewpoint, bearing the chief point in mind: What will the adoption of this law give the people? Will it lead to improved relations between the center and the republics and to an improved socioeconomic situation in the country?

A number of problems arise in this connection.

First, which specific questions, for example, could be submitted to a nationwide referendum? In his report the president named two such questions: private ownership of land and a Union of sovereign states on a federative basis. But can these problems be resolved in

a purely practical way in the said manner? The republics find themselves under different conditions: natural, demographic, and social conditions, the level of development of productive forces, etc. What is acceptable for one republic may be totally rejected by another.

You and I have heard here the statement by a deputy from Tajikistan to the effect that the introduction of private land ownership there could lead to a fratricidal war. Evidently, land there must be republican property. At the same time, if you take the republics of the middle band, this question, to judge from public opinion assessments, will evidently be resolved positively. Under such conditions it would be a big mistake to adopt by a majority of votes decisions that are binding on all components of the Union. At the same time it would be absurd at the Union level to adopt different or separate decisions in respect of specific Union republics.

Second, is it possible or correct from the political viewpoint to give the Union the right to hold referendums in separate republics? But such proposals have been made, and the report spoke of this. The president too proposes, in general, holding a referendum on the question of a union of sovereign states on a federative basis, by republics. This leads in principle to the result that tomorrow we will be able to raise such questions only in individual republics. What question can there be of the republics' sovereignty in that case, if the organs of power carry out such actions virtually ignoring the republic legislatures? For, following the results of such a referendum, it is logical to expect a corresponding decision from the center in respect of a specific republic. That is, we will see interference in the republics' activities.

In our view, the opinions of the individual republics must be expressed only by the legislatures of these republics. Otherwise the principle of a unitary state begins to operate.

We encounter a number of contradictions in resolving this question. On the one hand, the voters' demand that the law be adopted so as to enable the broad masses to participate in resolving our society's political, economic, and other problems. On the other hand, the operation of this law will evidently lead to the exacerbation of relations between the center and a number of republics—which will undoubtedly help to worsen the socioeconomic situation in the country.

The contradictory nature of the situation can be seen in the fact that we are once again adopting a law based on the USSR Constitution, which exists only formally, and do not want to recognize today's realities. The result is a "dead law" not recognized by the individual republics.

Until we resolve the basic questions, namely relations among the republics and between the republics and the center and the level of the powers delegated to the center, the adoption of such laws at the Union level will not have a positive effect. The crux of the matter is not that the question of a referendum is not needed at all but that there is no need for it at the Union level. In this case it will either be just another declaration or (given its practical application) could provoke negative consequences.

The republics' opinions may be championed at Union level either by the republic legislatures' representatives or by the Council of the Federation. I believe that this would be the optimum option at present.

On the basis of what I have expounded I submit a proposal not to adopt the law on the referendum at the Fourth Congress of USSR People's Deputies.

I also believe that it is necessary to evaluate that part of the congress which has already taken place. On the whole, it evidently will not produce specific results either for the stabilization of the socioeconomic situation in the country or for the further development of society.

In my view, we should have resolved three main questions. First, to recognize the Union republics' declarations of sovereignty and independence. Second, to abandon the adoption of the concept of the Union treaty at this congress and to suggest to the republics that they start inter-republican consultations, signing corresponding agreements on fundamental questions without delay: on a single economic space, defense, and the coordination of actions in implementing economic reforms and preparing the Union treaty. Third, to embark without delay on realizing measures connected with the introduction of market relations. These questions were formulated most clearly in the speeches of Deputies Sobchak and Popov. [passage omitted]

**A.A. Malofeyev,** *first secretary of the Belorussian Communist Party Central Committee (Stolbtsovskiy National-Territorial Electoral District, Belorussian SSR):* Following the speech by Deputy Zhuravlev, I and my colleagues from Belorussia have been asked questions: What kind of a coup took place in Belorussia, and who arrived and who departed as a result? I see that an unhealthy interest is shown in this topic and that the circumstances are starting to come to light. Individual journalists have already "sharpened" their pens for corresponding writings.

So, was there a coup or not? Yes, there was. But it is hard to say whether it was right-wing or left-wing—most likely, left-wing. What happened? What happened was that for the first time in the history of the Belorussian Communist Party elections were conducted differently than they always had been.

There were four candidacies, and all worthy ones. All different people, each with his own identity. Of course, the attitude toward them varied (for this is a matter of taste), and any of them could have been elected. But, by dint of circumstances, this heavy burden fell on me. I found myself among the left-wingers, although I have never counted myself among either the right-wingers, left-wingers, or centrists. I have always believed that the chief thing is common sense and responsibility to the people. I was not false to that.

In general, the Belorussian Communist Party is being renewed (what happened attests to this) and will do everything to ease the difficult fate of the Belorussian people, who are being subjected to very grave trials today because of the Chernobyl tragedy.

The Belorussian Communist Party will cooperate with all political forces and movements. But it will deal a resolute rebuff to those who try to trample its good name in the mud. This is our principle, and we must follow it. I believe that it is understandable and intelligible to a decent person. And this, as a matter of fact, must be the line of our conduct.

Passions have run high on this rostrum too: Help! The country is threatened by a military coup, dictatorship, etc! All this is half-serious, if no more than that. There is no need to fuel emotions and frighten the people. The country is threatened by something else—anarchy, powerlessness, and rigid political confrontation. This is making the people's life worse and worse.

The newspaper SOVETSKAYA ROSSIYA today carried the "appeal of the 53" to the country's president, reflecting a cry from our people's heart and the pain in their soul. Those who signed it include worthy people. They are not sowing panic but are simply concerned at what is happening. I believe that both the president and our esteemed congress must heed this. [passage omitted]

**K. Makhkamov,** *president of the Tajik SSR (Dushanbinskiy Territorial Electoral District, Tajik SSR):* At this morning's session Comrade Kryuchkov, chairman of the KGB, stated that the republic leadership was briefed before the February events in the City of Dushanbe.

As the statement was made from this high rostrum, I would like to inform the congress participants that before the February events neither the Supreme Soviet nor the Central Committee nor the Council of Ministers of the republic had any information about the actions being prepared, still less about their scale and aims, and were not briefed. This is what I wanted to report.

**Chairman:** Comrade Bushuyev has the floor. Deputy Pisarenko is to prepare himself.

**V.V. Bushuyev,** *member of the Soviet of the Union Commission for Questions on the Development of Industry, Energy, Equipment, and Technology (From the USSR Union of Scientific and Engineering Societies):* Today marks the 70th anniversary of the adoption of the celebrated GOELRO plan—the State Plan for the Electrification of Russia. That plan provided a clear-cut program to extricate the country from the crisis and ruin of those days, a program whose realization would make it possible not only to pull Russia out of the gloom but also to make it one of the leading industrially developed countries of the world in the space of 10 years.

Unfortunately, 70 years later, we cannot consider ourselves such a country. All this is, to a considerable degree, because we have tried to introduce perestroyka into the edifice of our economy without strengthening its foundations—the basic sectors of industry, including power generation.

I have no wish to tire you with figures, but nonetheless I must report that already during 1990—the year that you and I have been deputies—oil extraction has fallen by 32 million tonnes, and coal stocks have fallen by 57 million tonnes. Oil exports are falling substantially. We no longer have the currency to acquire medical supplies and other vitally important materials. The commissioning of electrical capacities has fallen from the previous 10-12 million kilowatts to 6 million, and it is planned to commission just 4 million kilowatts in 1991. So the shortage of capacities in the unified system has already totaled 8 million kilowatts.

The consequences have not been slow to make themselves felt. Only yesterday, hardly had minus temperatures set in before mass shutoffs of electricity to consumers began in parts of the Ukraine, the north Caucasus, Kazakhstan, the Urals, and the Non-Chernozem Zone. This, unfortunately, is still only the beginning. Therefore, today, instead of some festive report and congratulations and greetings to power workers, I must ask you to adopt a decision consisting of three proposals and touching on both priority and long-term questions. Because the numerous Supreme Soviet decisions on preparations for winter, on the situation in the country, and on the drafting of a new energy program have not yet, unfortunately, been realized.

What decisions are proposed?

First, the Fourth Congress of USSR People's Deputies shares the concern of the delegates to the first congress of the country's power workers in connection with the unsatisfactory state of power generation, which is a vital sector of the national economy and the social sphere.

Second, the congress entrusts the USSR president, Supreme Soviet, and Government with taking measures without delay to prevent the country's slide toward an energy crisis.

Third, the congress suggests to the governments of all the republics and to the ispolkoms of all local soviets that they urgently organize regional energy commissions to carry out work on the rational use of energy resources and on energy saving. Let us prevent a catastrophe just once, and not investigate it after it has happened.

**Chairman:** Deputy Pisarenko has the floor. Deputy Katorgin is to be prepared.

**Colonel V.A. Pisarenko,** *first deputy chief of the Siberian Military District Air Force Political Department, Novosibirsk City (Kamenskiy Territorial Electoral District, Altay Kray):* I have prepared a 10-minute speech, but I will dwell just on the chief thing of concern to me and the majority of my voters in Altay Kray.

M.S. Gorbachev said in his report that a temporary economic agreement among the Union republics is being prepared. But I would like us to address the entire Soviet people and the leaders of all Union republics, krays, oblasts, and rayons even during the congress. Let us literally within seven to 10 days throw all our forces into concluding contracts among all enterprises horizontally, among sectors, and vertically. Let us begin the new year at least with a small guarantee for our people that there will be raw materials and component parts and, of course, with a guarantee that people employed in the nonproduction sphere will receive wages: teachers, educators, medical workers, workers of law-enforcement organs. I believe that the Secretariat must prepare such an address, so that it will go to all Soviet people on Monday.

At the second and third congresses we spoke of masses of freightcars standing idle, and we speak of this at the fourth congress. We have reported once again on 400 cars and on thousands of cars standing on the approaches to Moscow (the Smolensk Railroad, etc.—I will not enumerate them, as there is no time). Let us now ask our comrades in the provinces to investigate and to unload everything standing there before the new year. What has already been imported into the country must be saved. Food lies around for years and is wasted, and then we start investigating why. Of course, we must without fail make rational use of this food and these consumer goods.

We must reckon with today's realities. The republics have declared different regimes of independence and sovereignty. As a serviceman, I am finding it very difficult to get to the bottom of problems and, together with my colleagues, to resolve questions of combat training and the defense of our homeland. These are the conditions which have taken shape in some republics: Here they turn off the water, there they do not give us bread or heat and deprive our families of medical services. It is reaching the point where they do not allow children into school and have practically deprived us of residence permits, not to mention apartments. After all, let us deputies and all the presidents seated here investigate the matter and adopt an agreement on armed protection as quickly as possible. The Army must know what must be protected and who it must protect. So that we believe piously that we are preparing to protect our sisters and mothers, our children, and, finally, the most important thing for whose sake we were drafted into the service—our homeland.

Mikhail Sergeyevich, you have proposed very great structural changes in the government of the country. I will express just one view in this connection. On no account keep vacant the posts of the country's top leaders at such a complex and dynamically changing time. We must not live without a general prosecutor for one hour or even a single minute. We have been like this for two months. Yet crime is growing in the country, and we see this every day. Speaking of crime, we must take account of the fact that it does not recognize any borders. This is of very great concern to the people. For crime is the first sign of a possible civil war. Naturally, we must adopt a similar agreement, albeit a temporary one, among all the Union republics on the work of law-enforcement organs. [passage omitted]

## PRAVDA Version of Kryuchkov Speech

*PM2412132590 Moscow PRAVDA in Russian 23 Dec 90 Second Edition pp 1,2*

[Speech by KGB Chairman Vladimir Kryuchkov at the 22 December session of the Fourth Congress of USSR People's Deputies in the Kremlin in Moscow: "KGB Against Sabotage." The Moscow TASS International Service version of this speech was published in the 24 December Soviet Union DAILY REPORT, page 28, column two, under the headline "Kryuchkov on 'Destructive Forces'"]

[Text] Comrade deputies!

In accordance with the instructions of the congress, permit me to dwell mainly on the question of destructive political forces in the country and the struggle against economic sabotage.

Many people are going on about "destructive forces" today. But, for some reason, when state security officials bring up this issue some people are inclined to regard this as their wish to return to the days when "enemies of the people" were sought after. For example, my recent address on television and in the press was regarded by a group of representatives of the Social Democratic and Republican parties as being stamped with the "spirit and terminology of witch-hunting days", as they put it.

Our assessments of criminal manifestations of the shadow economy and corruption and unconstitutional demonstrations are treated by them as being a deliberately primitive view of the processes of political and economic reform. One cannot help but get the impression that either some people simply are not aware of the realities of life, or they understand these realities differently.

Individuals are altogether critical in their perception of the thesis that an acute struggle on the issues of property and power is under way in the country. It is believed that such statements are disturbing people and are given rise to a distrust of market relations.

But, after all, the State Security Committee has not been the only organization saying this. People's deputy Academician Zaslavakaya stated in an interview in IZVESTIYA on 17 December 1990 that, I quote: "A real struggle for very real assets, that is to say, for property, for power has started to get under way" in the country. Many have spoken of this at this congress, too.

The logic of the development of the situation in the country in the past five years, it seems, has compellingly answered the question as to what is destructive. It is that which leads to the destruction of our unified federal state.

These are attempts at imposing the interests of a narrow group on society instead of filling the real forms of people's power with democratic contents. This is a striving to resolve the question of new property relations at the expense of the interests of the working people.

In giving an assessment of the level of the country's security, it is important to take a fix on the sources of threats to our development. They are various. They include those we call external and they also include purely internal ones.

What is in question here? In spite of the warming up in international relations, one can observe a considerable increase in the activity of certain Western special services in collecting information about the development of the political situation in the USSR, about our defense and scientific-technical potential, the size of strategic reserves of raw materials, fuel, foodstuffs, and foreign currency reserves.

The aforementioned special services and foreign anti-Soviet centers connected with them are working out new forms and methods of their work regarding the Soviet Union, and they are modernizing their strategy and tactics.

We are by no means inflaming passions. We are looking at this in a sober manner. We will also have to face such activities in the future. This is a characteristic feature of present inter-state realities, if you will. Facts are clear: the U.S. Central Intelligence Agency, for example, does not even consider getting rid of radio "Liberty" and foreign anti-Soviet formations which are being financed by it. By the way, within the structure of U.S. intelligence is a unit set up to collect information about the movement of workers in the USSR and, hence, to influence it single-mindedly.

Patterns of the special services fight change, but the essence remains the same. In particular, the People's Labor Union [Narodno-Trudovoy Soyuz—NTS] on the territory of the FRG carries on working actively against the Soviet Union. It presents itself as the main unifying body of antisocialist forces.

It is also generously financed by the Central Intelligence Agency. The "Path to the Future Russia" political program and other anti-Soviet documents are distributed by this union on USSR territory. By the way, the NTS registered its office of the Posev publishing house in Oktyabrskiy Rayon of Moscow. It engages in the printing and distribution of propaganda literature in the USSR.

There has been a considerable increase of activity by Organizations of Ukrainian Nationalists [OUN] abroad. A message from the leadership of the expatriate units of the OUN to the Ukrainian diaspora speaks of the need for material, moral, and organizational help for those forces in the republic which favor its secession from the USSR.

Active work is under way for the departure and reception of a new wave of emigres leaving the Soviet Union. Special attention is being given to those who possess knowledge about the latest scientific and technical developments. Entire programs are being devised to encourge a "brain drain" from our country. These are realities which we, motivated as we are by the interests of the state, cannot afford to ignore.

Attempts are being made to apply both open and disguised pressure on us from outside, to foist on us questionable ideas and plans for extricating the country from a complex situation. Behind all this one can see, not infrequently, a wish to strengthen not so much us, but rather their own positions in our country. Not a single self- respecting state in the world allows anybody to interfere in its internal affairs.

However, the main sources of our trouble, in the State Security Committee's view, are to be found inside the country. We frequently criticize the years of stagnation and say that they led us to an impasse situation. We are also saying that the friendship between peoples was in some respects ostentatious and that by no means everything in our country was just and according to the law. Although bitter, it is true.

The truth, too, is that in October 1917 workers, peasants, and Russia's foremost intelligentsia marched to storm the Winter Palace with slogans of friendship, fraternity, solidarity between peoples, equality, and liberty. Surely they did not think that in the 74th year of Soviet power people in our country would be killed solely on the basis of their nationality!

Who, for instance, will call constructive the appeals to the Moldavian population to boycott the signing of a Union treaty, regarding it—and I quote—as "an attempt to construct a new totalitarian pyramid... and a desire to draw the republic into the old trap and thereby perpetuate its occupation", or, for instance, the claim that for Lithuania "the Second World War is continuing"? We are hearing such pronouncements from by no means ordinary citizens.

The republican press prints calls from the Latvian Popular Front for people to "join special volunteer formations for the maintenance of order!," and to "prepare People's Front structures for underground activities!".

One does not have to look far for such examples. For instance, on 26 October this year, the slogan "Down with the puppet USSR Supreme Soviet and Congress of USSR People's Deputies!" was voiced at a meeting with voters in Zelenograd by none other than People's Deputy T.K. Gdlyan.

The examples could be continued. This is not simply political rhetoric! This is also a singular contribution to our shared misfortune—the destabilization of the situation, the destruction of age-old friendship, and good neighborliness, thousands of dead and injured, and hundreds of thousands of refugees. The national factor is even being exploited in the following ugly way: Racial "purity" is being used as a criterion in the recruitment of personnel. Does this not remind us of something in recent world history?

Society is right to make large demands of the bodies of power. And the criticism that is aimed at them is to a considerable extent justified. True, politicians and philosophers have not yet given a clearcut answer to the question of what happens more frequently and to the greater extent—whether power corrupts people or whether people, themselves, corrupt power.

We know very well that no structure of power means anything on its own without the support and trust of society. Only with the support of the working people can it be effective, real, and capable of reacting commensurately to events. It is preferable to resolve conflicts by political means. Well, but what if we come up against violence? If various forces employ automatic weapons and terror instead of words and persuasion, what is one to do? For hundreds of threats of physical violence are received every year by peoples deputies alone.

Fears are being voiced that if today one is to embark on decisive actions to establish order, one must wittingly agree with the fact that blood will be shed. Esteemed comrade deputies! But, really, is blood not being shed already? Really, switching on the television and opening the newspapers, do we not learn almost every day of new human fatalities, of the death of innocent people, including women and children? I do not want to frighten anyone, but the State Security Committee is convinced that if the situation in our country continues to develop along the current lines, we will not be able to escape socio-political shocks more serious and grave in their consequences. What is at issue is moving away from fatalities and averting new ones.

There are already over 20 nationalistic politicized associations in the country which have in their make-up paramilitary units or armed detachments of guerrillas.

They include the "Ukrainian Republican Party" and the "Ukrainian Inter-party Assembly"; the "(?Kartibassargi)" (militia volunteers) and the "Aizsargi" (Defenders) in Latvia; the "Kaitseliit" (Defense League) in Estonia; the "Legion of Georgian Falcons" in Georgia; and the "Independence Army", the "Avengers" and others in Armenia.

Over 400 armed formations numbering over 26,000 persons have been revealed. They have a significant amount of weaponry at their disposal.

The state security bodies are not adopting the stance of an onlooker. Thus on the eve of the crisis in Dushanbe serious documents of warning were sent to the republican bodies on the basis of specific information. However, the proper measures were not adopted and there was a failure to avert mass disturbances. There are fears lest the situation be repeated on the Kirghizia-Tajikistan border.

A legitimate question might occur to the deputies: Why do the law enforcement bodies not take effective measures? It is because in conditions of general instability they are at times simply powerless to do anything. At the same time, there is no slackening in the campaign to discredit the institutions called on to defend and protect the interests of the working people. I am referring to the Army, the procuracy, and state security bodies, and the Soviet militia. By the way, the authors of such attacks do not conceal their names or their aims.

The state security bodies are subject, on the one hand, to deserved criticism and on the other to coarse and unfounded attacks. They must act in any case only on the basis of the law, and among officers one meets, [there is] deep incomprehension as to why no law on USSR state security bodies has yet been passed.

Special mention should be made of the progress being made in implementing the decision passed on 23 November this year by the USSR Supreme Soviet and the subsequent decree by the USSR president on the struggle against economic sabotage. During the last three weeks, KGB organs, working together with other law enforcement bodies belonging to the Ministry of Internal Affairs, the Procuratorate, committees of workers' control and executive agencies, have managed to expose numerous cases of major theft and abuse, mismanagement, and negligence in the storage, transportation, and sale to the population of consumer goods. Such cases have been revealed in many regions of the country. In order to give you a better idea of what I am talking about, I shall cite just a few of the confirmed cases in which a number of goods were prevented from going on sale to the population or kept in warehouses for an unjustifiably long period of time.

Some 500 tonnes of meat were hoarded at the operational supply department of the Baykal pulp and paper combine.

A total of 441,000 cans of canned meat was hoarded at Ashkhabad. Some 250,000 cans were hoarded at Tiraspol and 1,100 tonnes of rice was hoarded at the town of Tursun-Zade. At a warehouse in Tula 300,000 packets of tea were found. In Kazan 40,000,000 cigarettes were uncovered. Take delicatessen fish products: 28 tonnes of caviar and 304 tonnes of cured sturgeon fillet were discovered in Novosibirsk. One thousand boxes of canned fish were found at a vegetable depot in Krasnodar. Some 200,000 cans of delicatessen produce, including 50,000 cans of salmon roe, were discovered in Saratov.

A container with 20 tonnes of imported medicine spent almost five months in Tomsk without being unloaded. Some of its contents have been stolen. Only after State Security organs intervened was the container delivered to its destination.

On occasions quite amazing things happen. No sooner had one of our officials visited a fish depot at Ivanovo than about a tonne of caviar was delivered to children's homes and medical institutions in the town.

It is yet to be determined what happens to foodstuffs whose storage period has expired. Are they written off and destroyed or put into use in some way?!

As you can see, sharp operators and intriguers have something to lose and they have something with which to manipulate to artificially maintain the shortages!

One can understand the population's indignation at the facts that have been revealed when so many shelves are empty, foodstuffs rot and are thrown out. In a number of places procuracy bodies have initiated criminal proceedings.

KGB bodies have recently uncovered cases of people causing serious damage to our financial system. One can observe unjustified losses of foreign currency in the carrying out of foreign economic activity. These are particularly palpable on the oil and oil products export market. Note this: in 1989 127 million tonnes of oil was sold at the then comparitively low prices. This year, when prices rose considerably, exports fell to 101 million tonnes. In 1991 it is planned to supply to the foreign market 61 million tonnes. The main reason is the sharp fall in oil extraction.

The practice of cooperative, commercial, and also oblast banks issuing to foreign citizens cheques for large sums of money uncovered by resources is becoming widespread. This disrupts our financial system and swells the volume of Soviet currency abroad. Rough estimates indicate that there are up to 12 billion rubles in Switzerland alone. At some point in time this paper money can turn up on the Soviet market.

The proposal for monetary reform merits the most serious attention. We have not yet truly entered market relations and are only on the approach to them. But look what is happening! This situation in the economy is there and then being used by those with a liking for non-labor incomes.

By what right do billions of rubles pass from the pocket of honest toilers into the pocket of swindlers? Today these rascals have paper money, but tomorrow they turn them into objects of value. Taking advantage of the privatization of property, they accumulate capital—enough, perhaps, for more than one generation of their relatives. But what remains for the masses of the working people?

What sort of society are we aspiring to? To a just society or a society in which the yardstick of morality is the right of the strong and the cunning self-seeker? By the way, we ought to ask our scientists and specialists to make a serious study of problems connected with the switch to a market economy. Do all the negative features and vices of the capitalist market really have to become an automatic part of our life?

The actions of a number of our foreign partners are, basically, akin to economic sabotage, and this is also creating quite a few difficulties as we strive to improve the economic situation in the country. Take for example the quite large purchases of foreign food being made by the Soviet Union. Unfortunately, not all our trading partners are conscientious. For example, taking advantage of our mismanagement, they deliver impure and, sometimes, infected grain, as well as products with an above-average level of radioactivity or containing

harmful chemical admixtures. According to data at our disposal, about 40 percent of the imported grain is weed-infested and about 10 percent is substandard. Do not forget that we are paying hard currency for this!

There have been cases of incomplete or obsolete industrial equipment being delivered from abroad. For example, second-hand components for vehicle assembly lines were delivered to Yelabuga from Germany when they were supposed to be new. Evidence of ecologically dirty production equipment being supplied to the Soviet Union is also coming to light.

It would be erroneous to assume that the law enforcement bodies can resolve this problem without Soviet people's active assistance. I would like to note as a positive development the fact that a considerable number of soviets of various levels have joined in the struggle with economic sabotage. For the sake of objectivity the vigorous participation in this of the CPSU, starting from the party's central committee to its cells in the provinces, should be emphasized. We think the most important thing is to remove the causes which are giving rise to mismanagement, economic sabotage, and organized crime.

To a considerable extent the crisis phenomena in the country are taking place as a result of the severing of vertical and horizontal ties which operated previously and were of an extensive and deep nature. In these conditions we cannot escape the restoration of lost ties in the country,'s economic life along the old lines, which is what is being envisaged by the president's relevant decree. On the path to the market this is a temporary but inevitable measure.

The law enforcement agencies are hoping that the president of the Union will shortly issue decrees with additional legal norms governing the struggle against criminal actions.

By using the methods characteristic of state security work we are striving to do our utmost to facilitate an improvement of the situation on the consumer market and to restore order to supplies and the transportation of goods. The imbalance of supplies in a number of regions, the desire of certain individuals to create an artificial shortage and thereby take advantage of profiteering deals, and serious failures in the organization of transport and supplies are all parasitic influences on our sick economy.

The term "sabotage", which is a generic term for all the imperfections which have been mentioned, does not signify an attempt on somebody's part to return to the most dismal pages of history or to trigger off a new set of repressions. This is not the case. What is at stake is the need to rigorously impose law and order in the economic sphere. That is what we lack at the moment.

It is worth noting that during his recent speech in Brussels to the NATO council, U.S. Secretary of State Baker said: "In the short term the question for the Soviet leadership is not whether the reforms will be successful, but how to prevent anarchy and chaos".

Political will and vast intellectual potential of our people should be included to the greatest possible extent into the tackling of the most complicated problems dealing with how to get the country out of the crisis. However, at the same time, I would like to point out specially that we will not be able to do anything without discipline and law and order. Stabilization of our economy and the transition to the market are not possible without them. Democracy, if someone understands it as something amorphous, in which everything is allowed, in which only sermons are used to stop violence and brutality, and in which literally every single person suffers because we lack firmness and consistency—such democracy is worth little.

Our disordered society needs, as never before, accord among various political forces. Here I cannot but support constructive ideas about the necessity of peace and accord within the society voiced by a number of people's deputies in their speeches.

Past years contain great positive and negative experience. We have known the strength and the potential possibilities of democracy and glasnost. They entered our lives and Soviet people will not give them up. But we have yet to learn how to live in the conditions of democracy and glasnost.

I entirely agree with USSR People's Deputy Rolan Bykov when he said that the individual, his rights and personal dignity, have to be the supreme value for us. I would like to add that everything else has to be subordinate to this. In all areas the individual should feel himself to be a respected member of society, with the full range of rights. If the Soviet citizen, in whatever part of his homeland, feels himself to be persecuted and subjected to humiliation and insult, nothing can make our society a healthy one. How important it is for us to understand this and, more important still, to carry it out!

My final point. Life is unbelievably difficult for all of us because we are living and working in an extreme situation. The tension and pressures are great. Difficult times engender difficult problems, many of which do not have ready-made solutions and answers. But there is no alternative to sticking it out, so we can advance more confidently along the path of further renewal and development. Things are difficult at the moment for our ship, its captain and crew. In such a situation everyone must be at his post, because this ship is the

great Soviet Union, which we cherish more than anything else. Everybody must be aware of his responsibility not just to the present generation of Soviet people but also to those which preceded us and those which will come after us.

### Radio Coverage of 22 December Sessions

*WA0501125990*

For Moscow Domestic Service recorded coverage of the 22 December session of the Fourth Congress of USSR People's Deputies, see the 24 December Soviet Union DAILY REPORT, page 22, column one.

For the speech by Georgiy Kryuchkov, deputy chairman of the congress secretariat, see the 24 December Soviet Union DAILY REPORT, page 26, column two.

For the speech by Supreme Soviet Chairman Anatoliy Lukyanov, see the 24 December Soviet Union DAILY REPORT, page 32, column two.

For the IZVESTIYA text of the report delivered by Yu.Kh Kalmykov, chairman of the Supreme Soviet Legislation Committee, "On the Draft Law on Procedures for Holding a Nationwide Vote in the USSR," see the 26 December Soviet Union DAILY REPORT, page 35, column two.